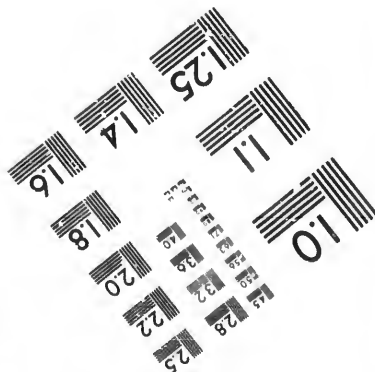
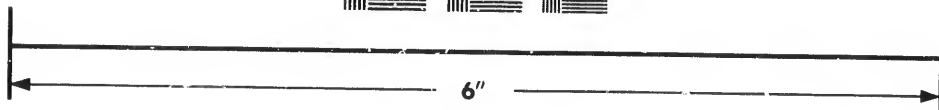
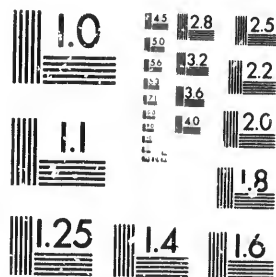


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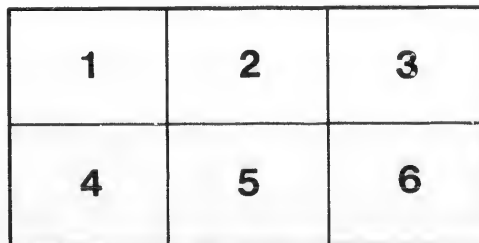
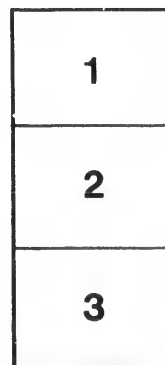
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CONFEDERATION

EXAMINED

IN THE LIGHT OF

REASON AND COMMON SENSE :

AND

THE BRITISH N. A. ACT

SHEWN TO BE

UNCONSTITUTIONAL.

BY MARTIN I. WILKINS, Q.C.

PUBLISHED BY
Z. S. HALL, BOOKSELLER AND STATIONER,
HOLLIS STREET, HALIFAX, N. S.

1867.

STATE OF NEW YORK

IN SENATE

January 10, 1907

REPORT

OF THE

COMMISSIONERS

OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

APRIL 10, 1906

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TO THE PEOPLE OF NOVA SCOTIA.

It is my purpose, in the following pages, to expose the fallacies of a Pamphlet on CONFEDERATION, "by a NOVA SCOTIAN," which has been widely circulated, and, though shallow in the extreme, is calculated to mislead the unwary. It bears strong evidence, of being the work of one of the unauthorized individuals, who pretend to have visited London, clothed with authority, to overturn all our political institutions.

Although the author complains, in reference to imputations cast on their spotless reputations, that "no one ventures under his signature in open day to prefer a charge, &c.," he has not mustered courage to put his own name to this tissue of mere sophistries.

When the delegates returned to the Province they did not meet with a very flattering reception. They had no ovation; and no illuminations, bonfires, and other demonstrations of felicitous welcome hailed their return. They were not escorted to their homes with torches and banners, and through triumphal arches; no cannon thundered forth a noisy welcome. They were received in solemn, sullen, and ominous silence. No happy smiles greeted them; but they entered the Province as into the house of mourning.

Conscious that they had forfeited the confidence of their fellow subjects, they found it necessary to solicit approbation, and have put forth this pamphlet; but not one of them dared to put his name to the tricky and deceitful electioneering manifesto.

It is well known that they had no part in the preparation of the scheme of Confederation which was manufactured in Canada; for D'Arcy McGee, at a public dinner at Kingston, with imprudent candor, probably under the inspiration of champagne and claret, boasted that it was the work of John A. McDonald, the Canadian Attorney General. The whole plot was contrived in Canada, the Nova Scotia Delegates are not entitled to the unenviable merit of the least participation in its composition, and it is but charity to suppose that they had not even sense enough to understand it.

It would therefore scarcely do for one of the political adventurers to present himself to the people, in person, and ask them "one and all to hail it as they would a deliverer, and to close with it as a boon of priceless value, and to feel that a debt of gratitude is due to the men whose untiring efforts at length secured it, and handed it over to their country an enduring proof of their ability, and pledge of their patriotism."

As the author of this attempt to procure approval under false pretences comes begging for favor anonymously, I will, for the sake of convenience, call him LAZARUS, the most characteristic name I can think of.

He opens with a rhodomontading homily on union. The old hackneyed truism "union is strength" is the text. Every social and political beatitude is made to flow from union. There would be no civilization without union, and we have any amount of philosophical twaddle on this indispensable principle in human affairs. Well, we are ready to admit that men could not get along very well without union; for, indeed, and it is a wonder his sagacity had not detected the curious fact, we should have had no human family at all if it had not been for the union of ADAM and EVE. But I can scarcely admit that all social and political unions are conducive to peace and happiness. When a tender, confiding girl gives her affections to a man, and they marry; is this social union necessarily productive of happiness? What if he should turn out a very brute in his conduct, and treat her with every species of cruelty and inhumanity? Has this social union produced the peace and happiness she anticipated?

In like manner, if a small Colony of a few hundred thousand people enters into a political marriage with one or two larger Colonies, having millions of people, does it necessarily follow that this union must produce peace and happiness? What if the larger Colonies should combine to rob the small one of her independence, should tyrannize over her, and trample on her rights and liberties: how much has the suffering Colony gained by this union?

Union may be good, or it may be evil, profitable or unprofitable. The elements of union may be beneficent or malevolent. There may be a union of angels, and there may be a union of devils. To which of these classes shall we refer that ill-fated or auspicious union, as it may hereafter prove, between the leaders of our Government and the leaders of the Opposition, which has excited the admiration of the Province? Was this union angelical or diabolical? Was it like the noble friendship of BRUTUS and CASSIUS, inspired by an undying love of country, or was it like the selfish, crafty and ambitious conspiracy of ANTHONY, LEPIDUS, and AUGUSTUS, against the life of ROME?

There is nothing like union! Men, he says, unite to make railroads, telegraphs, and steam navigation. So we would remind him, they sometimes unite to rob, to defraud, and to betray. Nations also, like individuals, may unite for good, or they may unite for evil. They may unite to defend, or they may unite to destroy, the liberty of their neighbors. ENGLAND, RUSSIA, PRUSSIA, and AUSTRIA united, to preserve the liberty of the European nations from the ambitious grasp of NAPOLEON. RUSSIA, AUSTRIA, and PRUSSIA united to rob the POLES, and divide their country among themselves; and if we allow them, ONTARIO and QUEBEC will unite to rob and oppress Nova Scotia.

But to return to that celebrated union, which Lazarus has unaccountably overlooked, but which Nova Scotia will not soon forget; it is very remarkable that these men, who hated each other with most deadly animosity—two of them leaders of one political party, and the others similarly related to the opposite party—and had pursued each other with all the bitterness of the most rancorous malevolence, should all of a sudden forget their enmity, cordially embrace each other, and affectionately unite, for the patriotic purpose of conferring a blessing on their country, in the shape of Confederation. This, indeed, was a wonderful outpouring of the spirit of harmony. The history of mankind cannot show a more wonderful manifestation of self-abnegation, and disinterested devotion to the public service; and Lazarus might have pointed with pride to this wonderful combination of heterogeneous elements, to illustrate the marvellous power of the spirit of union. *“Behold how good and pleasant it is for brothers to dwell together in unity. It is like the precious ointment upon the head, that ran down upon the beard, even Aaron’s beard, that went down to the skirts of his garment.”*

So much for the philosophy of union,—social, political, and moral!

I will not follow the example of Lazarus, and deal in mere declamation; but will establish the following propositions, by arguments logical, conclusive, and irrefragable.

That the Colonies were sufficiently united, and that, if a closer political connection was desirable, CONFEDERATION is the worst system by which they can be combined.

That the Constitution provided for the Colonies by the British North American Act, would, if adopted, rob Nova Scotia of every particle of independence, and reduce her to the degraded position of a dependency of Canada.

That the British North American Act is unconstitutional and void, and until it is ratified by a Provincial Statute, in no manner binds Nova Scotia.

That the Province, under Confederation, would, in a financial point of view, be reduced to ruin. That the Canadas would dispose of our FISHERIES to obtain commercial advantages to themselves from the United States.

That the Canadas, if Confederation be accepted by Nova Scotia, will sell our Railroads to pay off our public debt, and will keep our money into the bargain.

That Confederation is a Canadian Scheme, carefully prepared for the subjugation of Nova Scotia, and adopted by our Delegates from motives of personal interest.

That the delegates had not a shadow of authority from the Legislature, to procure an English Statute, for the Confederation of Canada, New Brunswick and Nova Scotia, and that what little authority they had, they most grossly abused.

That the people have it in their power to reject Confederation

in a constitutional manner, and that whether it is accepted or rejected, depends on their own conduct, at the next general election.

CONFEDERATION IS NOT UNION.

There is confessedly much in the doctrine of Union, that forces itself upon our approval, and there is probably not a thinking man in Nova Scotia, who would not agree to Colonial Union of some sort; but the subject is surrounded with difficulties, and there are thousands who think and feel convinced that it would be better to remain as we are forever, than to enter into a Confederation that will diminish rather than increase the prosperity, and will certainly endanger the peace of the Province. Let the people well consider the nature of Confederation! Confederation and Union are not the same, but vastly dissimilar. Union always implies strength. Does Confederation imply strength or weakness? We need not go back into the remote history of Confederations, to illustrate their inherent weakness and defectiveness. We need not call attention to the Greek Confederacy, and the unceasing civil wars that prevailed among the States of GREECE while confederated: Nominally united, they were ever torn to pieces by internal discord. To perceive the true nature of Confederation, as distinguished from Union, we have not far to go, and it is a proof of the amazing infatuation of Lazarus, that he has been betrayed into the folly of maintaining "*the tremendous struggle and sacrifice made by our republican neighbours, rather than suffer the disintegration of their common country.*" If he had the sense of an owl, he would have avoided the mention of the American confederation, as carefully as he would hide his purse, in the presence of a gang of London pick-pockets.

The written constitution, by which the United States were confederated, as a political fabric, is very far in advance of the British North American Act, which embodies the wretched constitution provided for us. This I will show as I proceed.

In the meantime, let us consider the condition of the thirteen States, when they confederated. They had contended since 1775, against the tyranny of George the third, as they called it, and yet the Stamp Act and Tea Duties Act were, as compared, with the encroachments on the rights of the people of Nova Scotia, by subordinating them forcibly to Canada, acts of political kindness and maternal benevolence. In 1783 the King declared them independent and sovereign States. They became then thirteen separate and isolated countries, without the least political connection with each other. They had no longer, like the British Colonies, a common Sovereign, to unite and bind them together. It became expedient for them, in some manner, to combine for mutual security. They unfortunately chose to link themselves together by the flimsy and rotten chain of a confederation, just as the ridiculous British North American Act proposes to deal with us. Had they chosen

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a Union, instead of confederation, there never would have been occasion for "*the tremendous struggle and sacrifice*," to which poor Lazarus alludes, with so much childish simplicity. With them there was a necessity, for some kind of political combination. They had no common head, and so they unfortunately agreed to try the dangerous experiment of a confederation, and what has been the result? Just that "*tremendous struggle and sacrifice*," which has made the hair of mankind to stand on end; a struggle in which probably as many human lives as there are now in both the Canadas, have been sacrificed on the blood-stained altar of confederation;—in which such a multitude of young and vigorous men, in the prime of their manhood, have been cut down, that their bodies, if piled up, would make a mound as high as citadel hill, and their blood, if collected in a reservoir, would float a division of the Royal Navy.

England in upwards of two hundred years, contracted her national debt. *This* "TREMENDOUS STRUGGLE AND SACRIFICE," by the instrumentality of that paradoxical species of union called Confederation, cost the States, in debt and destruction of property, probably more than twice the amount of the national debt, in three years. And a confederation infinitely worse than this, is attempted to be forced, on these now, for the first time in their history, unhappy colonies! How the Ministers and Parliament of Great Britain could perpetrate the madness of attempting to convert these prosperous and peaceable colonies into a confederation, with the example of the *confederated not united* States, and the military despotism with which the Southern States are denuded of every political right and liberty, and the overwhelming debt and consequent taxation with which the Northern States are paralyzed, the legitimate fruits of confederation before their eyes, baffles every effort of the human imagination to conceive!

But was there any necessity for disturbing the political relationship of the Colonies to each other? Were they not really more closely united than the States of America were before the "TREMENDOUS STRUGGLE AND SACRIFICE?" What united the States? A president elected every four years—a mere bone for all the dogs in the country to fight about! Ever since they had a confederation have they not been afflicted with discord and threatened with civil war?

The Colonies had no President to quarrel about. They had a common Sovereign, who enjoyed the cheerful allegiance of every man in British America. Can this be said of them at this moment? Has not the bare mention of Confederation, to be forced upon us already, and before the event, shaken the confidence, and staggered the loyalty, of thousands who, a year ago, would have shed their blood for the Queen?

Have the Colonies not lived together as affectionately as brothers and sisters under their common parent? Have they ever quarrelled, or has an angry or menacing message ever passed from

one to the other? How long will they have this blessed harmony to boast of, after the curse of Confederation passes over them, to blight and destroy their hitherto unbroken concord?

What will Confederation give them that they do not enjoy already? Did they want intercolonial free trade? Could not their legislatures, without exposing them to the dangers of Confederation, have regulated their trade with each other? Did they want military organization, and mutually defensive co-operation? Could not this also have been effected without inviting the certain evils and miseries of an ill-assorted and unequal Confederation? Was not the Queen always the Commander-in-Chief of all the militia of the Colonies? Could not Colonial Statutes have provided for the military organization and defence of the Provinces; and would not every man have cheerfully rushed to arms to repel a foreign invasion of any portion of the soil of British America? Did the commercial relations of the Colonies, to each other, and foreign States, require to be regulated? This could have been effected by a congress of commercial men, and political economists, representing all the Colonies, infinitely better, and with much less chance of discord, than trade can be regulated in a Legislature where one or two Colonies can combine to obtain financial and commercial advantages over the others.

Let the difference, then, between *Confederation* and *Union* be clearly comprehended! Lazarus purposely confounds these separate, and entirely dissimilar, political conditions. A union means an incorporation of the Colonies into each other, as man and wife are united. They are to be of one flesh and one bone, having one head and one heart. If united, there would no longer be a Canadian, Nova Scotian, or New Brunswicker, but they would all be combined under a common name. They would have one set of laws, and one legislature, and the only bond of union would be, not that internal union of heart, feeling, interest and identity, which alone can afford security against discord and civil war, but the external bond of a Government of force, which must be either too weak to keep the members of the Confederacy together, or, by grasping at too much power, endanger the stability of the political compact.

A Legislative Union, would bring the colonies a little closer, than they have been, while living under the dominion of the same sovereign, enjoying the protection of the Imperial State, and being one people, and brothers in the same family. A Confederation will break this mutual union, that they have enjoyed, and it will separate them really more from each other, than they were before, and woe to them! when they are in a position, to adopt the non-sensical motto "E PLURIBUS UNUM," and instead of being one undivided political unity, they have confederated, and adopted a union compounded of the elements of disunion and discord.

Had it not been for misconception of the real nature of Confederation, it is probable that there would not be, at this moment

outside the ranks of corruption, or the circle of those who expect to gain by it, an intelligent man in the province, who would consent to its adoption. The game of the advocates of the system has been to confound *Confederation* and *Union*, when they are, in fact, as distinct as possible from each other. A federal union and a legislative union, have a faint generic resemblance, but there is a decided specific difference between them, and they are no more identical than the beautiful, sagacious and tractable horse, and the stubborn, stupid and ill-favored ass. They are no more the same than the gentle, tame and useful domestic cat, and the fierce ferocious and terrible tiger. There is something very attractive in the idea of union, and therefore many persons even of intelligence, are inclined to approve of confederation, because they are influenced by the impression, that confederation means union, when it in reality means nothing but discord. Their error arises from a misapplication of the English language, of which the advocates of confederation artfully avail themselves. When one of them undertook to conduct a paper, in the interest of confederation, he deceitfully called it the "UNIONIST," and Lazarus, in the same manner, endeavours to puff CONFEDERATION, under the pseudonym of UNION.

Archbishop Connolly addressed an excellent letter, to the public in favor of *confederation*, which he evidently mistook for *union*, and no one can read that able and benevolent communication, without perceiving, that the archbishop, from its beginning to its conclusion, was in reality desirous of advocating a union of the colonies, and inadvertently employed the word *confederation*, to express the sentiment of *union*. Let the archbishop apply his vigorous understanding, to a consideration of the comparative merits, of federal and legislative union, and judging from the spirit of his letter, there can be little doubt, as to the kind of union, he desired to see accomplished.

I may here remark, that I never meet an advocate of confederation, who does not admit, that a legislative union, would be much preferable to a federal union. If then there be two kinds of union, whereof one is universally admitted to be far better than the other, why should we adopt the worst of the two? The only answer I get, is, that the best kind of union is found to be unattainable? "Why" I ask? "Because there is a French element in Canada that makes that kind of union impracticable." "Then," I reply, "There is an element of discord, which will make confederation, not only more dangerous, but absolutely impossible; for whatever renders a legislative union impossible, must make a federal union fatal to the peace of the confederating colonies." In plain words, "if the Canadian French will not have a legislative union with us, we cannot have a federal union with them; for if, at the outset, we cannot cordially agree, we shall be sure in the end bitterly to quarrel."

It is my desire to impress strongly on the mind of the people the most important distinction between a CONFEDERATION and a UNION. They no more resemble one another than the heartless,

selfish, unprincipled combination of intriguing political knaves resembles the refined and elevated friendship of virtuous and honorable men. The word UNION expresses every thing that is lovely;—CONFEDERATION, all that is hateful. The one is an angel of light, the other a spirit of darkness; and the men who are endeavoring to force an odious Confederation upon us, have stolen the wings of the ANGEL, to cover and conceal the cloven feet of the DEVIL.

Poor Lazarus was unfortunate indeed, when, to illustrate the principle of union, and the value of Confederation, he called attention to “THE TREMENDOUS STRUGGLE AND SACRIFICE” of the Northern States, to maintain a Confederation, a political system so conducive to the peace and prosperity of the Confederate States that it cost probably two millions of lives, and at least sixty hundred millions of dollars in debt and property, in three short years, and ended on the military subjugation of nearly half the Confederate States, and the probable ruin of the whole. Lazarus is certainly a clear headed fellow, and one hardly knows which to admire most, the breadth of his benevolence or the depth of his political sagacity.

THE UNION OF ENGLAND AND SCOTLAND.

When Lazarus refers to the union of England and Scotland, we have him again up to his neck in the mire of stupidity. “*In her case,*” he says, speaking of Scotland, “*union put an end to all international jealousies and dissensions, to prohibitive tariffs, and to that mutual isolation, which wasted its power in assailing instead of building up the strength and resources of the two nations. The lesson is pregnant with instruction to every one of us.*” In spite of the grammatical confusion of these sentences, I cannot help contemplating them with peculiarly pleasurable sensations; and no person can feel more grateful than I do for the suggestions they impart. The political condition of England and Scotland, before the union of 1707, in relation to each other, was fraught with innumerable evils; among which he reckons “*international jealousies,*” “*dissensions,*” &c. What was the nature of the connection between England and Scotland, when all these evils smote the prosperity of the two States? They had the same Sovereign, but distinct legislatures. They had a *federal union*. It was *confederation*, therefore, to which they owed all these calamities. While confederation existed between them they were miserable and unprogressive. They united and became happy and prosperous nations; and what was the nature of their union? A Legislative union. The two nations became one, the counties of Scotland became counties of England, and *vice versa*. The reason why there were so many elements of discord before the union was that they had separate legislatures, who, representing the people of each kingdom, occasionally brought the two countries into collision with each other. If they had en-

joyed one legislature this could not possibly have happened, and no matter how two States or Colonies are united, so long as they retain separate legislatures it is impossible to prevent them from coming into collision with each other. And this it is that makes a confederation the very worst system by which countries can be politically connected.

I will presently show that there never was a confederation so certain to set the Provinces at variance with each other as the silly scheme by which it is proposed to confederate the three Colonies. For instance, having a House of Assembly of our own, can the discussion of the important subject of confederation be shut out now that we have got rid of the late contemptible majority? What if the people of Nova Scotia, by their representatives, refuse to acquiesce in the confederation, and respectfully inform the Queen that they consider it essential to the peace and prosperity of the Province to reject confederation; that when the delegates represented the people of Nova Scotia to desire a federal union with Canada and New Brunswick, they misrepresented them,—and that the British North American Act commences with a falsehood when it states that “*the Provinces of Canada, Nova Scotia, and New Brunswick have expressed their desire to be federally united into one domain.*” Here we shall have collision at the very outset, and what will the result be! The Act must be repealed, as far as Nova Scotia is concerned, or the lovely principle of union, inherent in confederations, so philosophically descanted on and eloquently eulogized, will illustrate itself by an Imperial order to the Governor General to put the military forces of Canada in motion, acquaint Nova Scotia to inaugurate an harmonious union at the point of the bayonet, and to baptize the important monster confederation in blood.

But the moment the British Government find that Nova Scotia did not authorize the delegates to consent to the confederation, as I shall have to prove that she did not, the Act will be abandoned unhesitatingly. We would not be confederated five years before we should have to insist on dissolving the confederation, and then we might not be able to do so, without force and bloodshed. It is wiser, therefore, to reject it peaceably, in the first instance, than to enter into it with a certainty of having to fight our way out of it, at some future day.

IRELAND also had a Federal union with England, that is, they had one sovereign, but separate legislatures, and the consequences; which always attend confederation, made it necessary to abolish that political connection, and adopt a legislative union. Mr. Pitt thought this change of such vital importance, that he spent £2,500,000 of secret service money to accomplish it, and we are deliberately to manufacture just such a constitution for these noble Colonies; as that great Statesman labored so earnestly to get rid of, at so great a sacrifice of public money.

The general government of the United States was as strong

as it could be made, to bind together the Confederate States, and the President had more political power than the Queen of England, and yet the States of the South, having legislatures of their own, were able in an instant, as it were, to form themselves into an independent government, and to confront the general government, with a completely organized military and national opposition. Had the union of the States been originally a legislative, instead of a federal one, this could not have occurred; but they unhappily tried a Confederation, and it resulted, as was to be expected, in misery, bloodshed, and probable bankruptcy—"the tremendous struggle and sacrifice," that command the admiration of poor Lazarus, who is not particularly felicitous, in his historical illustrations.

THE WONDERS OF CONFEDERATION.

There are many amusing chapters in the pamphlet; but three, in the nature of epistles, to the producing classes, designed to allure them to confederation, are peculiarly racy. They are headed respectively: "What Union will do for the farmers of Nova Scotia." "Its advantages to the fishermen." "The Artizan and Laborer."

Union, as he persists in calling Confederation, is to work miracles for the farmers, fishermen, and artizans and laborers. Cash markets are to spring up for the farmers, the fishermen are to grow rich, and laborers and artizans are to have high wages, and more work than they can attend to. This is very promising and particularly sheering, but we are not informed how Confederation is to accomplish all these wonders.

Will the earth yield more fruit to the farmer, and the sea more fish to the fisherman, after Confederation? Where is this cash market for agricultural produce to come from? The Canadas can bring agricultural produce into the market much cheaper than our farmers can. At present, notwithstanding the duty they have to pay, they send cheese, butter and other articles, in considerable quantities, into Nova Scotia. Let us have Confederation, with the advantages of free trade it establishes, and our farmers will be driven out of their own markets, by the pork, beef, cheese, butter, poultry and other productions of Canadian agriculture. At present our farmers are protected, by duties on Canadian produce.* One of the objects of Canada in confederating was to force open our market to the productions of Canadian agriculture. Their object was to add, the six hundred thousand consumers of Nova Scotia and New Bruns-

*The Act imposes duties, but there is a clause, which authorises the Governor, by Proclamation, to allow articles of Colonial produce to enter free. The Act is annual, and; *without a proclamation, a tariff is sent to the collectors, in which certain articles are marked free.* This, of course, is illegal; but what do the Executive Council care for law? They are independent of the Statutes, which they violate continually.

wick, to their own market, by taking off the duties, by which their agricultural produce was kept out of our markets.

We receive hundreds of thousands of barrels of flour, from Canada, a great part of which is consumed by our farmers. How are they to find a cash market in Canada? They might as well expect to find a cash market for ice, snow or water in Canada, as for agricultural produce. Canada is one of the best agricultural countries in the world, and exports a vast quantity of agricultural produce. Confederation, as will be shown, will greatly increase the taxes of our farmers; it will take away what protection they have; it cannot confer on them any advantages of markets or cash prices that they do not already possess; but it will let in the Canadian farmers to jostle them out of their own markets.

There is one blessing that Confederation will confer on our farmers, which Lazarus, I presume, has omitted to enumerate with characteristic modesty, lest he should be overwhelmed with the gratitude of our agriculturists: At present the farmer has to do a trifle of militia duty, in order that in time of danger, he may be prepared to defend the country, but he could not be required to serve beyond the limits of the Province. Confederation will afford a much more extensive field for his warlike aspirations, and our new king, the Governor General of Canada, our new Imperial State, can, at any moment, by an order conveyed with the rapidity of lightning, command the Lieut. Governor to send up the whole military force of Nova Scotia, and every farmer of the fighting age must leave his plough, strap on a knapsack, shoulder a musket, and march a thousand miles away from his family and his farm, to irrigate the soil of Canada with his blood, and to manure it with the dust of his bones.

This Province is almost surrounded by the sea, and no attack can be made on us except by an enemy that can ride over the British navy, so that no farmer of Canada can ever be required to march to our aid, while our farmer must hold himself in readiness to be ordered up to Canada, on every danger to the Canadian frontier, which has always been, and must ever be, the point of attack. Confederation therefore will give the Canadians a noble army of fifty thousand brave Nova Scotians, which they will no doubt make a liberal use of, while no Canadian will be required to shed his blood for Nova Scotia.

When, therefore, I make search for all the benefits that Confederation is to shower so profusely on our farmers, what do I find? Why, that it will assuredly greatly increase his taxation, and rob him of his market in Nova Scotia, probably of his life, in Canada!

THE FISHERMAN'S PROSPECTS FROM CONFEDERATION.

The FISHERIES, if protected and preserved, are of more value than the Gold Mines of AUSTRALIA; as if necessary can be easily

demonstrated. Every barrel of fish represents, and will exchange for, so much gold. Every pound of Gold taken out of the mine, leaves a pound less in it, and the more gold comes into the market the less valuable it becomes. Not so with fish—while one barrel is being consumed another is produced, and as it is consumed it makes room for another; the value of it can never sink, for a barrel of fish is intrinsically worth as much to day as it was a thousand years ago. Gold changes in such value, fish never does; so that after a gold mine is exhausted, and no longer worth working, the fish mine will continue as rich and productive as ever. There is no property that we possess, which, if they were defended and preserved, as they ought to be, is of more value than the FISHERIES.

It can also be easily demonstrated, that if the fishermen of the United States were excluded from our fisheries, the duties which they impose, as a protection to their fishermen, would be taken off—for, in that event, the duties would fall exclusively on their own consumers, and not mostly on our fishermen as they now do. While the duties are protective, they principally fall on the foreign producer; when they cease to be protective, as they would do; when their fishermen were expelled from our waters, they would raise the price of fish on the consumer, without a compensating benefit to their fishermen, and the consumer, not disposed to pay, without any corresponding benefit, more for an article of food than was necessary, would cause the duty to be taken off. We should then have their markets free to our fishermen. The Yankees, instead of helping themselves to our fish, would have to pay for them, and multitudes would find profitable employment in our fisheries. They would create a cash market for our farmers, who would supply them with provisions and agricultural productions. Protection and preservation of our fisheries are the only means by which the fishermen can be encouraged, and our farmers can, to the extent of their numbers, obtain this cash market spoken of in the first epistle to the farmers.

Now I will enquire how Confederation is to produce this double encouragement to our farmers and fishermen.

The British and Canadian Governments put their heads together, and by a treaty with the United States, in 1854, for certain advantages to Canada, in which we had no kind of interest, conferred on the citizens of the Republic the privilege of fishing, and even of landing, on our coasts. Thus Canada, for her own selfish purposes, caused our invaluable fisheries to be opened to the republicans, who in a very few years, with their characteristic cupidity, if the privilege had continued, would have destroyed one of our most valuable properties.

The Reciprocity Treaty has happily terminated, and if we escape Confederation, we may, by refusing again to ratify such a treaty, and by enforcing the laws for the protection of the Fisheries, call into existence an industrial class of fishermen, which can scarcely be said to exist. Prosperity may then attend our fisher-

men, in which the farmers would participate. But will Confederation tend to the protection of our fisheries? If we confederate, they will be assigned to the United States for the most trifling consideration of advantage to Canadian agriculture and commerce; and if there were no other reason why we should not place ourselves in the power of Canada, a regard for the security of this invaluable property from sacrifice and spoliation, should induce us to reject Confederation without a moment's hesitation.

For the effect of Confederation on our fisheries, let us look at the conduct of our curious government, and the revelations of the political phenomenon, who calls himself our prime-minister. We have on our statute book CHAP. 94, "OF THE DEEP SEA FISHERIES," which in section 3 declares, all foreign vessels, "*found fishing, or preparing to fish, or to have been fishing, within three marine miles*" of our coasts and harbors, "*forfeited.*" This statute, which was suspended by the reciprocity treaty, resumed full force and vigor, the moment the treaty was ended. By the law of the land then, which all; from the Queen down to Dr. Tupper, are bound to obey, no foreign vessel can lawfully fish within our fisheries: In defiance of this law, we find American fishermen licenced to take fish in our waters, and that British and Canadian Ministers are busily engaged in a new scheme to dispose of our fisheries, in another treaty with the United States. Hear our great statesman! "The Provincial Secretary" (says the Reporter on the 23rd March last) "vindicated the action of the Government in agreeing to grant licences to American fishermen to fish in our waters"—"*and showed that the present arrangement, was made at the earnest suggestion of the British Government.*"—"The British Government were under the impression that, were this privilege conceded for one year, it would lead to reciprocal commercial relations, between the United States and the British American Provinces."—"He informed the House, that Canada and New Brunswick readily yielded acquiescence to the views of the British Government on this subject."

Here then we have our Executive Council, daringly violating and actually repealing, an act of the Legislature, to enable Canada to barter away our FISHERIES; and we have a conspiracy among the slippery politicians, of the three provinces, to sacrifice one of the richest, and most valuable of the resources of Nova Scotia. The leader of the Government imprudently and unblushingly, in the House of Assembly, informed the representatives of the people, that the Executive Council, supposed to be responsible to them, have taken the liberty of granting licenses to American fishermen, to enter our FISHERY, and violate the law of the Province, and the leader of the opposition and his friends, instead of denouncing this atrocious illegality, not only make no attempt to vindicate, the rights of the people, but actually lend it their countenance. And why is this? Simply because the Executive Council and leaders of the opposition, have combined in a plot with Canadian sharpers, to place our most valuable property, at their disposal, to be surren-

dered to the United States, in consideration of certain commercial advantages, to be conceded to Canada. It is scarcely possible, that the Attorney and Solicitor General, can be ignorant that these fishing licences are illegal, and that the granting of them is a daring piece of presumption, on the part of the Government. What is the necessary inference for such conduct as this? It is impossible to escape conviction that Nova Scotia, like the poor traveller to JERICHO, has fallen among thieves, and that she will be *stripped*, and *wounded*, and *left half dead*, if we don't soon put an extinguisher upon Confederation.

Confederation then is to enrich the fishermen by transferring the fisheries to the United States! well done, Lazarus!

THE ARTIZANS AND LABORERS UNDER CONFEDERATION.

The third epistle to these classes, is quite as refreshing as the two former, to the farmers and fishermen. Confederation is to "extend our great public works," and give steady and increasing employment to "*builders, engineers, carpenters, miners, and many other occupations*," and all the laboring classes, immediately on the advent of Confederation, are to renounce fish and potatoes, and regale the inner man, with roast beef and plum-pudding. But here again this angelic visitant, contents himself with simply announcing the glad tidings, but does not explain the process, by which the dietary revolution is to be accomplished. What does he mean by *the extension of our great public works*? If his calculations are to be relied on, we shall, after paying our expenses, out of the pension allowed us, have \$14,000 left in the chest, if something does not happen to create a deficit. Will Canada send us money, to expend on our great public works? Will Canada make railroads for us? These, if we require them, we must make with our \$14,000. If we want branch railroads, from our present lines, or any other public works, or improvements, we must borrow the money, if any one will lend it, and impose *direct* taxation, on the farmers, fishermen, laborers and artizans, to enjoy it. Lazarus does not tell us, how much of this kind of taxation, it will require, to secure the advent of roast beef and plum-pudding. Our great public works indeed! When Canada has laid her yoke on our necks, and swallowed up all our revenue, and we have expended the paltry pitance, allowed us for our support, we shall have to make our public works without money, as the JEWS, in similar bondage, made their bricks without straw!

EFFECT OF CONFEDERATION ON MANUFACTURES.

But the most amusing and encouraging picture, presented to us, is the magical effect Confederation is to have upon our manufactures. Nova Scotia is to manufacture, not only for the con-

federacy, but she is to "become a rival and a successful one of England, in manufacturing to a large extent, for the people of the United States." These are the very words of the pamphlet, and he who penned them, is said to be one of the profound political philosophers. to whose wisdom, we are indebted for the blessed constitution, presented to us by the B. N. A. Act.

The only commodity the Yankees at present allow us to manufacture for them is children; and these they will not take until they are fit to work: while useless and expensive, they allow us to keep them; when they become profitable they kindly take them off our hands. I am not profoundly versed in political economy; but if I was asked how this great change in our manufacturing relations is to be brought about, I should say that it can be accomplished in only one of two ways: First, by *annexation*.—If Nova Scotia was a member of the Union, we should soon be a prominent manufacturing State. but then we should be under the curse of confederation, the last misery a people should voluntarily bring upon themselves. The other alternative would be to kill all the manufacturers of the New England States, and follow up the remedy by making the president dismiss his ministers, and take Dr. Tupper's cabinet. If he desired to wreck the ship of State, this is the dangerous crew with which he must man her, and McCully and Mr. Archibald might be shipped as supernumeraries. We might possibly, under such circumstances, be permitted to overtrade the Yankees, as they now are, by the ignorance and incompetency of our Government and Legislature, allowed to overtrade us. But this is not the way in which Lazarus, who has recently been engaged in illicit trade, contemplates the introduction of our manufactures into the United States. He evidently intends to evade their protective duties, but he does not consider that when he did smuggle them in, he would find their market already supplied by their own manufactures, and that when sold, they would not pay freight or the cost of carrying them.

So much for our prospect of manufacturing for the United States in the good days of Confederation. Let us see if Lazarus is not quite as happy in his anticipations of our manufacturing for the confederacy! At present we have a few manufactures struggling into life which should be fostered and protected as much as possible. The present low duties on manufactured goods, operate as a trifling protection to them; but if the duty be taken off by confederation, will not the advanced manufactures of Canada at once nip our infant manufactures in the bud? Is not this one of the principal reasons why the Canadians are so anxious to get confederation, that it may, to the extent of our population, open a free market for their manufactures. We pay millions of dollars for the manufactures of the United States; the Canadian manufacturers will compete successfully with the Yankee manufacturers for these dollars, as confederation will let his goods free into Nova Scotia, while the Yankee will have to pay a duty on his. One thing is certain, that

with Canadian manufactures let in free, and United States manufactures admitted at a low duty, no manufactures can exist here, and those that have embarked their capital in manufactures may close up as soon as they can, if Confederation be accepted.

I do not think it possible, with free trade, for a young country to have manufactures. Capitalists will not run the risk of investing their money in manufactures, exposed to the competition of the more advanced manufactures of older countries, without protection. They will send their capital to other countries, where it is protected, as we have known our moneyed men to do. Where capital goes, thither will laborers follow. If Canadian manufactures are let in free, our manufacturing capital will go out. Where then the artizans and laborers are to get increased employment under Confederation, I cannot see, and Lazarus has been very careful not to attempt to explain. If they want increased employment, after confederation comes in, they will have to join the fishermen, and seek for it in some other country.

The epistles to the farmers, fishermen, and artizans and laborers have ended in smoke.

HOW THESE CLASSES ARE TO BE ENCOURAGED.

I have shown that confederation will not benefit these classes, and that it will ruin one of our most valuable resources—the fisheries. I will now give Lazarus a receipt for bringing back our sons and daughters, whose exile he so pathetically laments, for giving our farmers good prices and cash markets, for creating and supporting a numerous and prosperous class of fishermen, and for calling manufactures into existence, and creating wages and encouragement to artizans and laborers.

In the first place, we must place at the head of affairs, men who have sense enough to know that there are only two ways by which nations can grow rich—namely: by making and creating property, or by taking it from other nations, as our neighbors do, in the matter of the fisheries. The Tupperian political economy begins with salaries and ends with delegations.

The farmer must have a sale for his produce, and to obtain this, he must have customers. His best customers are, what Nova Scotia has not, and confederation cannot give, plenty of manufacturing laborers, miners and fishermen. To get a good stock of these we must invite capitalists to embark in manufactures, and we must do so by protecting their capital from foreign competition, as the Yankees do. Our sons and daughters went away to get wages, the wages of protected manufactures will bring them back and thousands along with them. To get fishermen, to make consumers of our farmers' produce, and get riches out of the sea for themselves, we must send confederation back to Canada from whence it came, and save our precious fisheries from Canadian cu-

pidity and spoliation; we must turn all foreign fishermen out of our waters, and make the United States, with their thirty millions of people, a free market for our fish. To have plenty of miners, we must not make Canada a present of our revenue, but take off the royalty, which is nothing but a tax, on one of our most valuable exports, and thus help our miner to sell his coal cheaper in the foreign market, and there to undersell the foreign coal. In this way we shall so increase the demand for coal in the foreign market, that instead of a few hundreds we shall have thousands of miners, to consume the produce of agriculture, and instead of crippling our exports with a nonsensical royalty, we shall obtain a much greater amount of revenue, in a more legitimate way, by the multiplication of consumers.

The best political economists in the world are these keen visioned practical men who regulate the commerce of the United States, and who leave no industrial interest neglected or unprotected. The worst, are the contemptible politicians of Nova Scotia. By the soundness of their commercial system the United States created more wealth in the last seventy years than probably any other nation ever did in the same space of time since the world began; and they have spent and wasted more wealth in three years of civil war than any other people ever threw away in so short a time. And how is this explained? Why, they made their wealth by the wisest *commercial system*, and they lost it by the most stupid *political system*. In other words, a wise and vigilant protection of their industrial classes made their fortune; an accursed CONFEDERATION scattered it to the winds.

THE NEW CONSTITUTION UNDER CONFEDERATION.

Upon Lazarus' chapters headed "POLITICAL ASPECT" and "GENERAL LEGISLATURE," I have some very serious remarks to make.

The Constitution of the SENATE of the Confederacy is touched very gently in these chapters, and indeed it appears that easy as he found it to enlarge on the blessings of confederation in its other aspects, when he came to face the difficulty of bringing before his readers the perfection of the Constitution of this branch of the new Legislature, his confidence vanished, his glibness forsook him, and he has been almost struck dumb. Well indeed might he hold his peace on such a subject! But before I examine the Constitution of the Senate, a word or two on the House of Commons. This has been constituted on the basis of population, and in fact it could not well be otherwise; but this does not prove the wisdom of our entering a Confederacy with only 19 out of 181 members. "But," says Lazarus, "*the truth is*" (and here he actually professes to tell the truth) "*the very spirit and essence of constitutional government render injustice to a part nearly impossible without affecting the whole.*" If we had a legislative union there would really be some

truth in this plausible proposition,—but it has no force when predicated by a confederation where the several Provinces retain a separate and individual existence, or in other words, where there is really no union at all. Of course if they had become united in a Legislative union an injury or injustice to one part would be a detriment to the whole; but it is not so in the case of a confederation, and if we were foolish enough to confederate with the Canadas under the B. N. A. Act a deadly wound might be inflicted on Nova Scotia without causing a pang to Canada. To illustrate this we need not go far. Canada, if we confederate, will assuredly transfer the fisheries to the United States. This would, in my estimation, be as great a calamity to Nova Scotia as the destruction of our coal mines; and yet Canada, so far from feeling the injury, would gain all the advantages of a market in the United States for her raw material and vast agricultural productions, while we should lose one of our most valuable resources. So we perceive that what would be an irreparable loss to Nova Scotia would be a positive gain to Canada.

The Canadas and the Maritime Colonies have different interests, and a system of trade that would benefit the former might prove prejudicial in the extreme to the latter. Therefore, before we confederate we should look ahead, and if we find that in the House of Commons, elected on the basis of population, we must, even with the assistance of New Brunswick, be in a minority of 147, we would be unwise to confederate. We could not deny the justness of representation by population in the Lower Branch, but we could deny the wisdom of committing our rights and liberties to the mercy of a Legislative Assembly, in which though justly represented according to our population, we were not effectually or virtually represented at all.

THE CONSTITUTION OF THE SENATE.

But look at the constitution of the Senate!

When the States of America confederated, the justness of representation by population was admitted, but the effect of small States confederating with larger and more populous ones, had there been no way of devising a means of restoring the equilibrium of power that would have been disturbed by the preponderating influence of the larger States, would have made a Confederation under a General Legislature impossible. The really great statesmen who framed the Constitution devised a method, and the only practicable one, of compensating the small States for the necessary inferiority in the lower Branch by giving them a correspondingly greater influence in the Senate. OREGON, therefore, when she was admitted into the Union with 50,000 inhabitants, and got one representative in the lower Branch, received as many senators as New York with 4,000,000 of population, and consequently 33 representatives in the House of Representatives.

Let us consider the effect of this arrangement! If one or two of the large States, having a majority in the House of Representatives, combined to engross too much power, the small States could combine in the Senate to keep the majority in the other Branch from tyrannizing over the minority. The Senate, therefore, so constituted has been found, on several occasions, to be the conservator and saviour of the Constitution.

There would have been no Confederation without this equality of representation in the Senate, for those who represented the weaker States in the Assembly which framed the Constitution were very different men from our delegates, and could not have been induced by any amount of bribery to agree to such a Constitution of the Senate as the artful Canadians have pawned off on our ignorantly incompetent and wilfully corrupt delegates.

"Where," says Anthony Trollope, "would be the State sovereignty, or individual existence of Rhode Island and Delaware, unless they could maintain, in at least one House of Congress, their State-equality, with that of all other States in the Union? In those early days, when the Constitution was being framed, there was nothing to force the small States into a Union with those whose populations preponderated. Each State was sovereign in its municipal system, having preserved the boundaries of the old Colony, together with the liberties and laws given to it under the old colonial charter. A union might be, and no doubt was, desirable; but it was to be a union of sovereign States, each containing equal privileges in that union, and not a fusion of the different populations into one homogenous whole. No State was willing to abandon its own individuality, and least of all were the small States willing to do so. It was therefore ordained, that the HOUSE OF REPRESENTATIVES, should represent the *people*, and that the SENATE should represent the STATES."

These remarks apply literally and precisely to the British N. A. Colonies, at the present moment. The old colonies had just been declared independent by the King, and were disposed to confederate. The Queen has given us precisely the same liberty as the other Colonies had extorted by force of arms from George the third. Each Colony is independent of the others, and after confederation is to maintain its individuality. In framing a constitution for them, the principle of representation by population in the House of Commons, and of representation of colonies in the Senate, should have prevailed. Each colony, therefore, should have been represented by an equal number of Senators, and if 72 were required, each of the six colonies, for it is absurd to write 4 out of the 6, would have had 12 Senators. But 5 for each colony would have been sufficient. The United States commenced with 26, and 30 would have been ample for the six colonies. Had this common-sense arrangement been made, the two Canadas, with their overwhelming majority in the House of Commons, could have easily been compelled to respect the rights of the smaller

colonies, who if out-voted in this Branch, could with their majority in the Senate, have secured their independence. But the B. N. A. Act gives the Canadas not only a majority of 147 in the House of Commons, but double the number of Senators, that Nova Scotia and New Brunswick together would enjoy, if foolish enough to confederate on such absurd conditions. This is not a new scheme of the Canadas. In 1861 when TROLLOPE visited America, he ascertained the views of the politicians of Canada, on which he makes the following remark. "*The Canadian idea would be, that the two Canadas, should form two States of such a confederation, and the other Provinces a third State. But this slight participation in power, would hardly suit the views of New Brunswick and Nova Scotia.*" Had he known the quality of our politicians, he would have expressed himself differently, and said, that "*considering the men who regulate the affairs of Nova Scotia and New Brunswick, although such an arrangement would be fatal to their independence, I think it more than probable that the artful Canadians will succeed in duping the others into such a preposterous confederation.*"

Any one who considers the subject, will perceive that a confederation, on fair and just principles, is impossible, under any arrangement which gives a preponderating influence to one or two of the confederating States, and taking our condition as to geographical position, population, and relative interests, into consideration, no confederation is either reasonable or possible, unless all are equally represented in one branch of the Legislature. On the basis of population, the Canadas must have an overwhelming majority, in the popular Branch. If they have it also in the Senate, they can ride rough-shod over the other Colonies. The others therefore cannot confederate, unless they can muster a sufficient force in the Senate to counterbalance the majority of the Canadas in the House of Commons. This can only be done by giving all the confederating Colonies an equal number in the Senate. Thus the Canadas would have a majority in the House of Commons, the other Colonies would have a majority in the Senate, and consequently they would be bound mutually to respect each others rights. When the Canadas attempted to use their majority, in the House of Commons, to injure the others, these could defend themselves, and defeat the attack upon their rights in the Senate; and so, if the majority in the Senate attempted to trespass on the rights of the minority, the majority in the House of Commons could counteract and defeat the project.

But if this outrageous Act, is allowed to come into force, the Canadas commence confederate operations, with a ready-made majority, of 147 in the House of Commons, and of 24 in the Senate, over both New Brunswick and Nova Scotia combined. Where then will be the independence of the latter colonies?

When therefore we are told, that the Canadas have nearly 3,000,000 of people, and New Brunswick and Nova Scotia only 600,000, we reply, "True, but the Senate is intended to represent COLO-

NIES, not *population*. The Lower House is to represent population. Canada must there have a majority, but as independent Colonies, we will not consent to any inferiority to Canada, and if we are not permitted to have equal representation, in the Senate, we will not confederate." This is the language our delegates, like those of the smaller of the states, should have used, in arranging "*a scheme of union,*" with the larger colonies.

Had our delegates the sense to have insisted on this indispensable condition, of perfect equality in the Senate, and had the Senate been so constructed, as to represent the colonies, for which they are chosen, *which*, I shall show, *has not been done*, we should, as far as legislation is concerned, have been comparatively safe. To illustrate this, I will suppose, that New Brunswick and Nova Scotia, had each as many senators, as each of the Canadas, and that it was proposed to spend \$4,000,000, out of the general revenue, on canals, or other works in Canada. The money would be spent, altogether in Canada, and for the benefit of the Canadians. They would easily carry the measure with their majority in the House of Commons. But in the Senate, the lower colonies could meet them, and propose to allow the grant, on condition that \$500,000 were allowed to each of the Maritime colonies, for similar improvements. In this case it is plain, that the Canadas must either give us a fair share of the revenue, or go without the \$4,000,000; for Nova Scotia and New Brunswick having an equal number of senators could refuse the appropriation. Constructed, however, as the Legislature would be under the B. N. A. Act, the Canadas would snap their fingers, in the face of our representatives, tell them that we did not require the money, and would take the \$4,000,000, in spite of the maritime colonies, who would be taxed for, but never handle a cent of the money. It is plain then, that if we accept confederation, on the terms our delegates have agreed to, we might as well have no representation at all, as the Canadas can pick our pockets, as much as they please.

We are frequently told by the advocates of Confederation that the Canadas cannot tax us without taxing themselves. This is a monstrous fallacy, and the sooner it is exposed the better. By the B. N. A. Act they are authorized to impose every kind of taxation, with the solitary exception of a land tax. I will now prove that they can tax us without taxing themselves. The Act does not, like the American constitution, prohibit the imposition of duties on EXPORTS. Let us suppose that, when our coal mines come into full operation, we shall export millions of tons of coal, and the Canadas take it into their heads to raise a revenue by imposing an export duty on coal. Of course our nineteen representatives in the House of Commons would remonstrate against this, as a tax that would fall exclusively on Nova Scotia, and would contend that as the coal mines are reserved to this Province they should be exempt from taxation. They would be answered, "True, the coal mines are yours, and you can do as you please with them: we dont intend

to interfere with them; but when coal is on the surface of the ground, it is an article of commerce, and no longer a coal mine." Where is there any power in the constitution that we possess, to prevent the imposition of this export duty? We have 19 voices out of 181 in the House of Commons, and no representatives at all in the Senate, for the 12 who reside in this Province are the Governor-General's servants, not ours, and holding their offices for life, are in no manner accountable to the people of Nova Scotia. Here, then, is a case in which they can tax us without taxing themselves. It is the answer of a fool to say, as I have heard some of the friends of Confederation allege, "*It is not likely they would impose such a tax, or act so unjustly.*" My reply is, "*The Act gives them the power to do so, and that is enough for me; and I will reject the act, because it gives them the power to rob Nova Scotia.*"

But I go further, and assert that they may, if they please, tax anything in Nova Scotia, and exempt it from taxation in the Canadas, as the Act does not, like the American Constitution, provide that duties shall be uniform over all the Provinces.

Suppose, however, that they did tax all alike, but applied the revenue, when collected, exclusively to Canadian purposes, and on Canadian improvements, and gave us no share of it, would it not be a great consolation for us to know that we had been all taxed alike?

But let us see if we are represented at all in the SENATE! The people of Nova Scotia will elect 19 out of the 181 members of the House of Commons. The Act says (Sec. 22) that we are to be "*represented*" in the Senate by 12 Senators. The verb "*to represent*" has a very different meaning in the British Parliamentary vocabulary from what it has in the English dictionary. In the latter it signifies "*to be a substitute for,*" "*to be appointed by,*" "*to speak the mind of.*" In the former it seems to signify "*to ridicule,*" "*to mock,*" "*to insult,*" "*to degrade.*"

A representative is the agent of the person who employs him and appoints him. If I am to have an agent I must appoint him myself. He cannot be my representative if he is appointed by another. What would the QUEEN say if the SULTAN insisted on appointing her ambassador or representative at CONSTANTINOPLE? But this is exactly the kind of representation that we are to have in the Senate of Canada! The GRAND TURK, the GOVERNOR-GENERAL, is to appoint the Senators to represent Nova Scotia!!!

Let us see what the Act says on this subject.

Section 22. "Which three divisions shall be equally *represented* in the Senate as follows:—Ontario by 24 Senators, Quebec by 24 Senators, and the Maritime Provinces 24 Senators, 12 thereof *representing* Nova Scotia, and 12 thereof *representing* New Brunswick"

Sec. 24. "The Governor General shall from time to time, in the Queen's name, by instrument under the Great Seal of Canada, summon qualified persons to the Senate; and subject to the provisions of this Act, every person so summoned shall become a member of the Senate and a Senator."

Sec. 32. "When a vacancy happens in the Senate, by resignation, death, or otherwise, the Governor General shall, by summons to a fit and qualified person, fill the vacancy."

Sec. 25. "Such persons shall be first summoned to the Senate as the Queen, by warrant under Her Majesty's royal sign manual, thinks fit to approve, and their names shall be inserted in the Queen's proclamation of Union."

Here, then, we have the manufacture of the Senate provided for. They are to be made by the Governor General under the advice of the Executive Council. As the first batch is to be presented to the Queen before the new Constitution is to come into force, for their names are to appear in the same Gazette with the proclamation, it is perceived that the present Executive Council of Canada is really to name the Senators for Nova Scotia. Lord Monck probably does not know a man in Nova Scotia, and his advisers are not much better informed. The men they appoint as Senators for Nova Scotia must be selected by agents of the Executive Council of Canada in this Province, into whose hands the offices have been placed for sale, just as goods are entrusted to auctioneers or commission merchants. The men who are to represent the people in the Senate then are chosen nobody knows by whom, and no one can guess under what conditions of sale and purchase they have been engaged.

Lord Monck nominally is the person, then, who appoints the Senators of Nova Scotia. The Queen will merely signify her approval and this is the last act she will perform for this Province. From this time forth the Governor General, without consulting the Queen or having her approval, will appoint our Senators and manufacture a Legislature for Nova Scotia; and after the Queen has nodded assent to the first batch of *the* GOVERNOR GENERAL'S *Senators*, who are to *represent* this Province, she appears no more upon the stage,—but, *exit* VICTORIA, *enter* GOVERNOR GENERAL! After this the Executive Council of Canada will make this part of the Legislature of Nova Scotia!!!

The Executive Council will of course be Canadian, with their majority of 147 in the House of Commons, and all the Senate, and therefore none but their willing tools will be chosen to fill vacancies in the Senate. The Act, therefore, might just as well have given the whole representation in both Branches to Canada; indeed, as regards the Senate, it has actually done so.

And this is a specimen of an Act of Parliament, introduced by Her Majesty's Ministers, at the instance of our accomplished delegates, for the construction of a federal constitution, for these invaluable Colonies, and this in the full blaze of the light of the nineteenth century!

By this Act the people of Nova Scotia, who have enjoyed a representative constitution for more than a century, are to have a new, supplemental Legislature, constructed on a principle that would disgrace the political intelligence of TARTARS, CHINESE, JAPANESE, or SOUTH SEA ISLANDERS. NOVA SCOTIANS to be represent-

ed by twelve Senators, named by JOHN A. McDONALD, D'ARCY MCGEE, and their colleagues of the Canadian Executive Council, who know not half as much about the people of this Province, as we unfortunately know of them!!! There must be something in the reports of the irregularity of the habits of these men, for an imagination that Nova Scotians would submit to such degradation, must be the offspring of intemperance or insanity!

The people of this Province, in their Legislature, are pronounced incompetent to appoint Senators to represent themselves, and make laws to tax them, and dispose of their lives and property, and a Governor-General, some hanger-on of the British Ministry, who never probably saw Nova Scotia, who does not own a rood of land in the Province, and does not care a rush for the people, is to appoint the men, to whom their dearest interests are to be intrusted, and he is only restricted in his choice by a ridiculous property qualification, while he himself may be a bankrupt, sent out to repair a shattered fortune with the ten thousand a year which the Act fixes as his salary?

Nova Scotia therefore is to be represented, by the creatures and tools of the Governor General;—she is to have no choice, or voice in the selection, of the senators;—when appointed, they are to be beyond the reach or control of those, whom, by the mockery of this diabolical constitution, they are pretended to represent;—they may systematically vote against the interests of the Province, and yet neither the people, nor their Legislature, can call them to account; and they are to remain, a pensioned nuisance, for life, or until they pass out of *moral* into *physical* corruption!

The Senators of the State, are elected by the State-Legislatures, and they come back, and give an account of their stewardship, every six years. What would WASHINGTON, HAMILTON, FRANKLIN, and the rest of those real statesmen, *unbribed* and *uncorrupted*, who framed the CONSTITUTION, have said had it been proposed that the President should nominate the senators, for the several states? They would have instantly expelled the mover, as a maniac. These men did not make a constitution, in which a multitude of offices were created, to be corruptly bestowed on themselves, and placed at their disposal, to corrupt and bribe, other equally faithless servants of the people. The offices they created were to be filled, not by them, but by the people. Their work was one of purity and patriotism; that of our constitution-makers, has been a work of most offensive foulness, and most loathsome corruption. The American Constitution is consequently, as a political fabric, as far superior to the wretched constitution, contained in the B. N. A. Act, as the sublime morality of the DECALOGUE is to the sensual frivolities of the KORAN.

And this is the way in which the delegates have watched over the interests of the Province! It is not possible to imagine, that these men have erred through mere ignorance. They must have

designedly sacrificed the rights and interests they were sent to protect.

Before the Canadians concocted their plot, Nova Scotia was as happy and free as any country under the Heavens, where would she be, if this confederation could be forced upon her, which I shall shew that it cannot? She would be bound hand and foot, and placed absolutely at the mercy of the Canadas. With 19 members in a House of Commons of 181, and no representation at all in the senate, if she suffered herself to be dragged into this confederacy, she would have no more protection for her liberty, than the POLES, and, I say it without the least exaggeration, she would be really better and happier under the government of the CZAR of RUSSIA, than under the tyranny of the unscrupulous political schemers of Canada.

But happily it is not too late to escape the snare that has been set for us, as I shall now proceed to demonstrate.

THE B. N. A. ACT IS UNCONSTITUTIONAL.

The Constitution of Great Britain is what is called a mixed government, and limited monarchy. The Queen is not absolute, neither is the Parliament, but both are subordinate to the laws and customs of the Empire. The people are the source of all power, "*vox populi suprema lex*,"* the Queen is the source of all honor and dignity. There are acts that the Queen cannot do, and also acts that Parliament cannot do.

History proves that there may be such a thing as an unconstitutional Act of Parliament. For instance, the ministers of George the Third fancied that Parliament could tax the Colonies, after they had received representative constitutions of their own; but it was contended by the ablest constitutional authorities in England, that no such power was vested in Parliament, as taxation without representation, and that the Colonies, having representative constitutions, could only be taxed by their own representatives in their own legislatures. The issue of the contest, and universal assent, have established the unconstitutionality of such taxation, and Parliament has never revived the claim. They have, therefore, never since attempted to tax us, and whenever it became necessary, in regulating the trade of the empire, to impose duties of protection on imports into Nova Scotia, tho' really paid by the foreign producer, the amount collected was never claimed for Imperial purposes, but was scrupulously paid into the treasury of the people who nominally contributed it.

The B. N. A. Act opens several questions of constitutional law. Let it be admitted that the Queen in Parliament can make a Legislature for the colonies; can they by act of Parliament transfer or

* The will of the people is the supreme law.

assign that power to an individual? Nova Scotia had and has still a representative constitution, which was never forfeited by rebellion; can Parliament authorize an individual to make a Senate or Legislature for her? If Parliament can authorize a Governor General to do so, it may authorize any one else: If it can authorize LORD MONCK, why may it not authorize the PRESIDENT of the UNITED STATES, the EMPEROR OF CHINA, or the TYCOON of JAPAN, to manufacture a legislature for Nova Scotia?

When the Colonies were first settled, the King, having sovereign power, constituted systems of legislation for them. After constitutions were granted, the sovereign continued to appoint Legislative Councils. This was voluntarily submitted to, though by no means in accordance with the spirit of the constitution; but whenever elective Councils were demanded, they were, without dispute, conceded. But when the sovereign appointed these Councils, he did so *himself*: he never delegated the power to a subject. The power attaches to the person of the sovereign. The Queen cannot delegate it, and she can no more transfer this prerogative to a subject than she can transfer our allegiance to a subject. Before the Queen can transfer our allegiance to Lord Monck, we must be consulted, for there are two parties to the execution of such a bargain. The Queen might resign our allegiance, and set us free, but we must be consulted before we can become the subjects of Lord Monck. The Queen may be disposed to transfer to him the prerogative of appointing Senators for us, and may assent to an Act of Parliament, vesting that right in him, *as far as she can*, but he cannot exercise that prerogative until we have also passed a Statute of our Legislature, authorizing him to do so.

The Queen appoints Peers, and when appointed they become hereditary law-makers. The right is personal to the sovereign, and cannot be delegated to a subject. If this prerogative cannot be transferred to an individual, neither can it be transferred to any political body; and surely nothing could be more injudicious and dangerous to Her Majesty's supremacy over one Colony than an attempt to transfer this prerogative to another, and to authorize the one to tyrannize over the other. When George III. became hopelessly deranged in 1811, and the regency was conferred on the heir apparent, so completely and exclusively personal to the sovereign did Parliament consider this prerogative of creating peers, that they entrusted the Prince Regent with every other prerogative but this. If, then, it was thought unconstitutional to intrust it to the heir apparent to the throne, how could it be transferred to an inferior subject?

We will therefore take this exception to the Act, and with justice insist that the Governor-General cannot constitutionally make a Senate for Nova Scotia, without an Act of the Provincial Legislature, authorizing him to do so.

But we will oppose the Act on an incontrovertible ground—a ground which has been already decided—that taxation, without

representation, is unconstitutional, and the Imperial Parliament have no power to enforce it, directly or indirectly.

Let us see how this question of taxation, without representation, stands in the light of history, and constitutional law.

Charles I. took it into his head that he possessed, of divine right, power to tax the people of England. They contended that taxes were the voluntary gifts of the people by their representatives, that they were subsidies, benevolences or gifts of the people, to the crown or government, and that they could not be demanded as a matter of right. Issue being joined the decision went against the king, and his vindictive enemies were not satisfied until they succeeded in chopping off the head that had conceived so tyrannical an idea as that the people can be taxed without representation. I cite this case to prove that none of Her Majesty's subjects are liable to arbitrary taxation, and to show that nothing is more calculated to drive a people to desperation and madness than the imposition of unconstitutional taxation.

I now proceed to notice a case which proves that an Act of the Imperial Parliament cannot tax, or *a fortiori* cause to be taxed, any portion of the Queen's subjects without representation. Lord North thought he could demand taxes of the Colonists, and obtained the Stamp Act and the Tea Duties Act to be passed in Parliament. The Colonies denied the right, on the ground that they were not represented, and here again issue was joined; the cause was tried and judgment given in favor of the Colonies, in which the whole world has acquiesced, and no one but a political booby would at this day question the soundness of the decision.

To be represented means to be effectually represented. Representation in one Branch of the Legislature is no representation at all, for this obvious reason, that one Branch is nothing and can do nothing without the other. If we are represented in one Branch but not in the other we are in this predicament, that if our representatives in the one Branch attempt to overtax us, we have no representatives in the other to save us from over taxation. If an Imperial Act cannot tax us without our consent, so neither can it authorize any one else to tax us,—nor can it create any political body capable of taxing us without our consent. To come to the point, an Imperial Statute cannot authorize Lord Monck, John A. McDonald or D'Arcy McGee to tax us themselves, and *a fortiori*, it cannot authorize them to manufacture a Senate to tax us without our consent. And how must this consent be manifested or expressed? It can only be given in one way so as to bind Nova Scotia, and that is by a Statute of the Provincial Legislature.

When a Colony is first acquired, the Sovereign has the power to make its laws, or may allow the inhabitants to retain their own laws, or he may confer on it a representative constitution, and allow its people to make their own laws. Nova Scotia was at first a crown Colony, having a Governor and Council; subsequently a representative constitution was granted; and this grant, like all

other grants of the crown, is irrevocable, except on certain conditions. The grant of a constitution to Nova Scotia was just as irrevocable as Magna Charta, the Petition of rights, or a grant of land to an individual, which could only be disposed of by his own will, or, what is the same thing, his willing to commit those crimes which are punished by a forfeiture of the land granted. So Nova Scotia's representative constitution was irrevocable, and could only be forfeited by the treason or rebellion of her people.

The moment a representative constitution was granted, the Crown and Imperial Parliament ceased to have the power to tax the people of Nova Scotia, who could thereafter only be taxed by their representatives in their own Legislature, and it was not in the power of the Imperial Parliament to deprive them of that right, or to devise any other mode of taxing them, unless they, by a solemn act of their legislature, became a party to the arrangement.

If the Imperial Parliament have the power claimed by the B. N. A. Act, without an act of our legislature concurring in it, they might take away and revoke our representative constitution altogether, and appoint a council or individual to tax us. Why should they not create a petty tyrant, like a Roman Procurator, to impose taxes on us and extort tribute from us, to any amount he pleased? If they can do the one they can do the other, and instead of being a free people we should find ourselves the victims of an absolute despotism.

The Act declares that the 12 Senators are to reside in the Province. The Quebec scheme had not this provision, but they were intended to reside in Canada. If Parliament have power to manufacture such a Senate to tax us, they can require the Senators to reside anywhere, or to be of any nation, color or complexion. Instead of making it necessary that they should possess landed estates of the enormous value of \$4000, they might require them to be taken out of the Poor Asylum, or they might require them to be taken out of PRESTON or HAMMOND'S PLAINS, and that their property qualification, instead of being \$4000 in real estate, should consist of 4000 cents in moccasins, birch-brooms and blue-berries. They might require them to reside in OTAHEITE or KAMSCHATKA, or they might make it requisite that they should be citizens of the United States, or that they should belong to the MICMAC, DOGRIB or CHEROKEE Indians. If they can do as the Act proposes there is no limit to their authority, they are absolutely sovereign, our representative constitution was a delusive chimera, and we are not possessed of the rights of Britons, but are the abject slaves of a worse than eastern despotism. But, thank Heaven, they have no such power, and they would never have enacted such an illegal and unconstitutional statute, if, as its preamble proves, they had not been grossly deceived by the Colonial Delegates.

The Act, then, confers on Canada the right of taxing Nova Scotia, while she is not only unrepresented but actually misrepresented. Representation means having members appointed

by ourselves in the Legislature, and this, of course, includes both Branches. Would IRELAND or SCOTLAND be represented in the British Parliament if she only sent members to the House of Commons, and none to the House of Lords? Then Nova Scotia, which has no representatives except false and sham ones, in the Senate, is not represented in the Canadian Parliament, and therefore cannot be taxed by that body. There is no principle of constitutional law more clearly defined than that taxes, being the gift of the people, no British subjects can be taxed by any Legislature in which they are not represented. We, not being represented in the Imperial Legislature, cannot be taxed by them, and if we cannot be taxed by them, *a fortiori*, they cannot authorize any other body to tax us. If the Imperial Legislature cannot tax us themselves, they cannot make a Legislature in Canada to tax us, without an Act of our own Legislature authorizing them to do so.

But we are told that the Queen always did appoint our Legislative Council. This is true, and very unwise was it in the people of Nova Scotia not long since, to have insisted on electing them. Had they been elected we should have escaped many evils, and probably there would have been men there who would have made some resistance to Confederation. But bad as the old system was, we had some control over the appointments, as the Executive Council, who recommended them to the Queen, was responsible to the House of Assembly. The appointments also were made by the Queen, and not by a subject, and if an improper person had been recommended, we could obtain an inquiry into his character, if the case were a flagrant one. So that we had some security against the appointment of improper persons to legislate for us.

But what control would the people of this Province have over the appointments of the Governor General, if we accepted confederation? Can we censure his conduct in the *Canadian Parliament*? He has a majority of 162 in one House, and 72 in the senate, for they are all his nominees and creatures, and among them the very men he has appointed to misrepresent us. The *Legislature* of *Nova Scotia* might as well try to squirt back the falls of Niagara with a fire engine, as to pass any resolutions condemnatory of his appointments, for the worse they were for us the better for Canada.

Can we carry our complaint to the Queen? It must pass through the hands of the Governor General, who would probably refuse to transmit it. But if he should graciously condescend to transmit it, what reception will it meet with? Her Majesty will call our attention to the B. N. A. Act, and remind us that we are no longer her subjects, except through the medium of Canada, to whom she has handed us over, and with the iron-heel of Canada on our necks, being in torment, like DIVES, we shall lift up our eyes and see our former sovereign afar off, and she will say, as was said to him, "between us and you, there is a great gulf fixed,"—the GULF of ST. LAWRENCE, and, though you cannot repose upon the

bosom you can go and stretch your tortured limbs on the PLAINS of ABRAHAM."

I often hear it argued, that the Queen creates the House of Lords, and therefore it is constitutional that the Executive should appoint the senate. There never was a greater error than to suppose that the Queen appoints the upper Branch. The Peers hold their position in the constitution by the same tenure that the Queen holds the throne. In the theory of the constitution they both hold their position by the will of the people, for the popular will is the foundation of all power. The Queen sits on a throne established by election. Her predecessor, WILLIAM the THIRD, was elected by the people, and she holds under a conventional settlement made with their representatives.

The Queen never makes a peer, *quasi* a legislator. She is the source of all honor and dignity, and she occasionally raises a subject to the peerage, as the reward of public services or meritorious conduct, and he by virtue of his nobility falls into the ranks of the Upper House, and becomes a legislator. The House of Lords are wholly independent of the Queen, and they hold their status in the constitution by the same right that she holds the sceptre. She neither can nor does create that House, and all the constitution allows her to do is occasionally to repair it. If she attempted to create Peers, to influence their legislative action, she would be guilty of treason, against the constitution, and her conduct would be revolutionary. No prudent Sovereign would allow his ministers to mention such a thing as a creation of Peers for such a purpose. It was done once only in the reign of ANNE. It was threatened in the reign of William IV., and the moral force put on the Lords on that occasion has done more to weaken the foundations of the British constitution than all the efforts of all the radicals and chartists, that ever were in England.

The Queen does not create the House of Peers. All she does is occasionally to repair the venerable edifice, as it shows symptoms of decay, but she is no more the maker of it than the artificer who puts an occasional repair on the noble cathedral of St. PETERS, or St. PAULS, can be confounded with its illustrious architect.

GIBBON remarks that the nation whose Executive makes its Legislature has lost its freedom. This is literally true, and if Nova Scotia submits to have her Senators made by the Executive of Canada she is not only not free, but does not deserve to be free.

Some people pretend to be afraid of elective Councils, because the Senate of the United States are elected, and they blindly advocate Governor-made Councils, because they think it more English. These people labor under a melancholy delusion, for, in truth, there is nothing English in such a constitution of a Branch of the Legislature. A Legislature will represent the power that constitutes it. If it is appointed by the Executive it represents the Executive; if

by the people it will represent the people; and a nation is free or dependent in exact proportion to the power of the people over their Legislature. If the people have the appointment and control of their Legislature, they are free; if the Executive appoints their Legislature, they are slaves.

The appointment, therefore, of the Legislature, or any Branch of it, by the Executive, is not ENGLISH, but FRENCH, RUSSIAN, and TURKISH, and I sincerely pity those deluded men who are willing to put their own necks under Canadian tyranny, and are trying to bring that degrading yoke on their fellow-subjects.

The Senate of the United States, elected by the Legislatures of the States, was the best working institution of the kind that any nation ever possessed, next to the British House of Lords. No nation can manufacture a House of Lords, it cannot be made by human hands, and it is a very important element in that noble constitution which grew up, under Divine Providence, the fruit and offspring of multitudinous accidents. As we cannot have it, let us have that which is next to it, and has proved so great a success. If we are to be taxed, the Legislature that taxes us must not be created by Canadian Executive Councillors, to whose tender mercy the B. N. A. Act so benevolently commends us. All the powers on earth cannot compel us to have our Legislature, or any branch or part of it, created by the very men who have endeavored to fix the curse of confederation on us.

Here then we will make our stand, and insist that having no part or voice in the nomination of the Senate, but on the contrary, the Senate being the creature of Canada, and in that respect, so far from representing us, hostile to us, and their pretended representation of us a mockery and an insult, we will refuse to be bound by the unconstitutional Act, and we will significantly direct the attention of Her Majesty's Ministers to the fate of the old Colonies, sealed as it was by Imperial Legislation, not half so unconstitutional as this. We shall ask them if a paltry tax on stamps, or duty on tea, demanded by the suffering parent State in her hour of need, was to be compared, in tyranny and oppression with the B. N. A. Act, by which we are not indeed taxed by England herself, but what is ten times worse and more degrading, handed over to Canada to be robbed, taxed, and oppressed, at her good pleasure.

Let me here propose a question or two, for the consideration of those distinguished Jurists who have procured the enactment of this extraordinary Statute:

Can Nova Scotians, with a complete Legislature of their own, be taxed by the Imperial Parliament?

Can the Imperial Parliament create another Legislature in Canada, to tax Nova Scotians, as well as their own Legislature?

Can the Imperial Parliament confer on Lord Monck's senators authority to tax Nova Scotians?

Can the Imperial Parliament take the property of Nova Scotians, or confer on a Legislature of Canada the right to take such property?

Is there any other power that can assign or alienate the Fisheries, Railroads, and other property of Nova Scotia, than her own Legislature?

If a Statute of the Provincial Legislature was necessary to authorize foreigners to take fish out of our waters, is not a similar Statute indispensable to authorize Canadians to take money out of our pockets?

Have Nova Scotians any constitutional rights, or do they hold life, liberty and property, simply at the will of the Imperial Parliament?

When these questions are answered, in the only way they can be, the B. N. A. Act has not a constitutional leg to stand on. But the preamble shows that the British government are not chargeable with intentionally trespassing on our rights, and if it were true, as there stated, that we had "*desired to be federally united,*" there would have been nothing wrong on their part. It is easy to be seen that they were not ignorant that the Act would not be constitutional, without the consent of our Legislature, and therefore the crown officers, to whom the Act must have been submitted, have caused the preamble to be worded as it is. But the preamble is false, and this appears to have been the only share our delegates had, of the labor of preparing the scheme; they furnished the necessary ingredient of falsehood and deception.

THE FINANCIAL VIEW OF THE SUBJECT.

It is not my intention to criticize minutely the figures by which Lazarus has attempted to prove that in a financial point of view, Nova Scotia is not to suffer by confederation.

All our revenues except \$155,000, being the amount of casual revenue, and that derived from crown lands, gold fields, and Hospital for the Insane, uncertain sources of income, are to be paid into the Canadian chest. Our revenue for 1866 is estimated at \$1,631,500. We send to Canada, then, \$1,476,500, and she allows us a pension of 80 cents a head, and a bonus of \$60,000—in all \$324,000. Lazarus has attempted to show that this sum and the above \$155,000 are enough for our expenses, and that the enormous sum of \$14,000 will actually be found in our treasury at the end of the year.

Now, it is obvious, if this be true, that if it became necessary for us to incur any extraordinary outlay, say for branch railroads, main-roads, bridges or any other purpose, we should be bound to send round the tax gatherer to collect *direct* taxes. We cannot impose *indirect* taxes.

The account seems to stand thus.

Canada receives from us.....		\$1,476,500
She advances for us.....	\$1,103,600	
Also a pension and bonus....	\$324,000	
	<u>\$1,427,600</u>	
Balance in favor of Canada..	<u>\$48,900</u>	<u>\$1,476,500</u>

According to Lazarus then, both parties gained by this transaction. Nova Scotia has \$14,000 in her chest at the end of the year, and Canada has \$48,900 in hers. There is this difference, however, which does not appear to have attracted his attention,—that what Nova Scotia has to spare is her own, and what Canada has to spare comes out of the pockets of Nova Scotians. Now, I cannot understand upon what principle Canada has a right to keep this \$48,900.

But there are one or two items not taken into account, and if in figuring up accounts I am at liberty to omit an item or two, I can prove whatever I please by figures. What has he done with the \$81,600 we are to pay annually for the Annapolis Railway?

By the time the Pictou Railroad is finished our debt will probably have reached \$8,000,000; we must then be prepared to meet this annual demand of \$81,600, and we will also have to pay \$160,000 for the Avon bridge. We must therefore come to direct taxation next year to raise at least \$241,600, less the \$14,000, and it is quite obvious that in a very short time we shall have the pleasure of becoming familiarly acquainted with the tax gatherer.

Let us see what sort of an arrangement has been made respecting what may be termed the retiring allowances of the several Provinces. This has been calculated on 80 cents a head. It gives Ontario \$1,116,872 for ever; Quebec \$888,528; Nova Scotia \$264,000. Ontario gets a bonus of \$80,000, Quebec \$70,000, and Nova Scotia \$60,000. Nova Scotia's pension increases until her population reaches 400,000, so that she can never receive in this way more than \$320,000. Ontario will always have \$1,196,872; Quebec \$958,528; but Nova Scotia can never receive more than \$380,000.

As Ontario and Quebec have the whole Senate, and a majority of 147 in the House of Commons, they have made a very snug bargain of it, for they will not only enjoy their separate allowances, but they can and will divide between them, all the revenues of the four colonies, over and above the disbursements they have assumed to provide for.

Now, I should like to know why, if Ontario and Quebec are to have 80 cents a head, on their present populations, Nova Scotia should not have the same on her population, until it equals what theirs is now? Why should she not have a million of 80 cents, when her population reaches a million?

I have shown that now, even according to Lazarus' own ciphering, Canada gets \$48,900 out of Nova Scotia. Her profit will increase as our population and revenue increases. This revenue, with little over 300,000 people, is now \$1,631,500, and by the time we reach three times our present population, our revenue, with the greatly increased taxation Canada will lay on us, will probably not be less than \$6,000,000, which we will then hand over to her, and yet we will receive no more than we do at present. We shall send up six millions and get back \$380,000.

We may reasonably expect that our expenses will keep pace with our population. If therefore we now pay \$465,090 we shall require \$1,395,270 to pay our expenses; but our allowance will never be more than \$380,000, and the casual revenue, which is not likely to increase, to any great extent, so that in those good days we will have to raise, by direct taxation, nearly a million besides the six millions raised by indirect taxation, and which Canada has generously undertaken to dispose of.

It is not my intention to resort to figures further that I have done, and I simply add, that, when the Annapolis Railroad is finished, we shall have incurred a public debt of at least nine millions. Canada assumes \$8,000,000; we must therefore provide for the one million by sending the tax-gatherer round, and as a matter of certainty, our direct taxation would increase every year, as long as we are a Province, if we were to enter the Confederation.

But let us look at our public debt! This, if we enter confederation, will never be paid; but, so long as we exist, we shall have to pay the interest, as I will proceed to demonstrate. The debt was contracted for railroads, and we now have the railroads to represent it. If these roads, as our population increases, begin to pay something more than working expenses, we shall be able to dispose of them, so as to reduce or even extinguish the debt, provided the roads are not given with our revenue, to Canada, under the curse of confederation. Canada would, of course, put them in the market and sell them, as she would our fisheries, unless Lazarus will show us how we can prevent her, with our 19 members in one House and none in the other.

Let us suppose that in a few years the railroads are found to pay their working expenses, and four per cent. toward the interest. We may then find a company, which, being able to borrow money at 3 per cent., would purchase the roads, and enable us pay off the debt. This company would clear \$80,000 a year by the operation. If we give our revenue and railroads to Canada, she and not we, will profit by this financial or commercial operation. The debt will be paid, but it will be paid with our money, or the sale of our railroads, which is the same thing. But where is the arrangement that, in this event, Canada is to pay us the \$480,000 yearly of interest, which she would no longer have to pay for us. That interest will continue still to go to Canada with the rest of our annual revenue.

But we could make sure of selling our railroads, if not for the full cost of them, at all events so as greatly to reduce our debt. Suppose we sold them for one half the cost, or \$4,000,000, we should reduce our annual interest from \$480,000 to \$240,000. By this means we have cleared off half our debt, and so raised our credit that we can borrow the other half at three per cent., to pay off our creditors. In this case our interest would come down to \$120,000, and we should have \$360,000 set free for other improvements.

If Canada makes this arrangement she will have this sum set free, and we shall not gain a dollar by the operation.

If we sold the roads for three-fourths of their cost, we should in the same manner reduce our interest to \$60,000 a year, and thus have \$420,000 set free for other public services, which makes just this difference, that if we accept Confederation, Canada will pocket the \$420,000, and if we want public improvements, to that extent, we must continue to pay the \$420,000 to Canada and tax ourselves directly for \$420,000 more to make those improvements. So that if there is any logic in figures we should in this matter be \$840,000 the worse for Confederation.

It must be observed that we really part with nothing by so selling our Railroads, for we shall have them much more beneficially than we have at the present time, as can easily be proved if necessary. We should in fact gain in every way by selling the roads. The question is whether we shall do this for ourselves or let Canada do it for herself.

The Statute reserves to Canada the right of disposing of our Railroads, and of course the politicians who duped our delegates had their eyes upon this property when note (c) to section 92 was penned. By No. 10 of section 92 the Provincial Legislatures are to have the control of "Local works and undertakings other than such as are of the following classes." Among these exceptions under (c) are, "such works as although situate within the Province are *before or after their execution* declared by the Parliament of Canada to be for the general advantage of Canada."

The words I have put in Italics show that the Canadian sharpers had their eyes on the Railroads, and that they intended soon to make Canadian property of them and sell them as they would our Fisheries.

If Canada takes all our revenue and agrees to pay or assume our public debt, we ought to own the property in the purchase of which our debt was contracted, because we really pay the debt incurred for it. But the Canadian schemers have, after agreeing to assume our debt and getting all our revenue, contrived a means of selling our property to clear off the debt; in other words, they agree to take our money and pay our debt, and yet invent a method of making us pay our debt ourselves while they coolly pocket the money.

THE DELEGATES HAD NO AUTHORITY TO CONFEDERATE THE THREE COLONIES.

I will first consider the nature of their authority, and then enquire into the manner in which they have executed it.

They went to England and caused an Act of Parliament to be enacted which creates a new Legislature for Canada, New Brunswick and Nova Scotia, and confers on it all but unlimited power to tax the people of this Province,—a Legislature in which she is entirely unrepresented. The Act transfers all the revenue of the Province, with the exception of a few thousand dollars, to Canada, for all time to come; it gives Canada the absolute disposal of our fisheries, railroads and other property; and actually places our lives, liberty and property at the arbitrary disposal of Canada. And what was their authority for thus revolutionizing the constitution of Nova Scotia and handing her people over bound hand and foot to Canada?

Would any one imagine, that they claim to have taken this outrageous liberty with the rights and privileges of the Province, upon the authority of a resolution so illiterately obscure and ambiguous that no human understanding can unravel its meaning, and which is drawn in a style of composition that would disgrace a schoolboy? And would it be believed that our whole political system has been attempted to be overthrown by men so ignorant and incompetent as not to be able to write a simple resolution to empower themselves to act.

When we examine this resolution, which is the only authority they had, we find it as mysteriously unintelligible as the writing on the wall, and it would puzzle the astrologers, Chaldeans, soothsayers, and even Daniel himself, to make sense of it. But it pronounces the doom of confederation as emphatically, as did the mysterious writing, that of BELSHAZZAR; for if they had no intelligible authority, they had no authority at all.

Here is the resolution dated 10th April 1866.

“Whereas, in the opinion of this House, it is desirable that a Confederation of the British N. American Colonies, should take place:

Resolved therefore that His Excellency the Lieut. Governor be authorized to appoint delegates to arrange with the Imperial Government, a scheme of Union, which will effectually ensure just provision for the rights and interests of this Province; each Province to have an equal voice in such delegation, Upper and Lower Canada being for this purpose, considered as separate Provinces.”

Confederation and *Union* as I have shown, are two entirely different things. The first is mentioned in the recital, but the resolution itself authorises a union.

This then was their authority, and being delegates, not representatives, they were bound to adhere to the letter of their instruc-

tions, and what were these? They were to arrange a *scheme of union*, of the British North A. Colonies. Have they done this? They have *united* none of the colonies, but they pretend to have *confederated* three of the five colonies. They had no authority whatever to do this.

To unite means to make one, how did they unite three? Why by making them four. They take, without the least shadow of authority, Canada, New Brunswick and Nova Scotia, and after their novel mode of uniting them, they become four, ONTARIO, QUEBEC, NEW BRUNSWICK and NOVA SCOTIA.

If, putting "confederation" in the preamble, and "union," in the body of the resolution together, they can be considered to mean what the English Statute calls "a federal union;" then they were authorized to arrange a federal union of all the British North American Colonies, but they had no authority to unite in that manner, three out of the five.

The resolution moreover gave them authority to act in conjunction with an equal number of delegates from each of the six colonies. Without the co-operation of such delegates they had no authority to act at all. When therefore they found that no delegates appeared on behalf of Newfoundland and Prince Edward, they had no authority to proceed with the business of constitution making, but should have returned without doing anything.

If I give power to three or more persons to execute a contract for me, one cannot act alone, but all must join in executing the authority. Here they were only empowered to act with delegates from all the Colonies. On this point the resolution is very explicit: "Each Province to have an equal voice in such delegation." Without this equal voice, as it is called, there could be no delegation at all. There could be no legal delegation, in the absence of the delegates of any one of the five or six Colonies. It does not appear that they ever summoned the delegates of the other two Colonies to attend.

But whatever confederation or union there was any authority for arranging, applied to all the Colonies, and they could not pick out three of them and confederate them alone. Of this they seem to have been sensible, and they tried to get over the difficulty by making provision, in the Act, for the admission of the two other Colonies into the confederation. But this cannot help them. It, on the contrary, condemns them, for it proves that they were conscious of acting without authority, in venturing to confederate three out of the five Colonies.

This disobedience of their instructions is of itself fatal to the Act, as it was clearly the intention of Nova Scotia, as expressed by her representatives, to have a union, not with one or two, but all the Colonies. Nova Scotia and New Brunswick could not, under any circumstances, enter with safety into a confederation with Canada, without the aid of the two other Maritime Colonies,

as it would require the combined strength of the four to counterbalance the weight of Canada.

But what have they tried to do? Even after leaving out two of the Maritime Colonies, they did not insist, as, if they had common sense they would have done, that, as Canada would have a majority of 147 in the House of Commons, each of the three should have an equal number of Senators, so as to give the Maritime Colonies a decided majority in the Senate, to which they would be entitled, and without which they could not confederate; but they actually agreed that Canada should be divided into two, and the other two be rolled into one, so that Canada, having a great majority in one Branch, should have an equally decided one in the other also. In other words, they made Canada absolute, and that there might be no mistake on this point, they gave Canada the appointment of the Senators for Nova Scotia and New Brunswick besides.

But this union was to "*ensure just provision for the rights and interests of this Province.*" How men like these were to ensure the right and interests of the Province cannot well be imagined! Had these rights and interests been placed in jeopardy by falling into such hands we might have given them up for lost, and as to insuring them against such a risk, no amount of premium would have induced the most adventurous insurers in Christendom to underwrite the policy. You might as well ask underwriters to insure a house on fire or a ship actually in the hands of pirates.

In executing their commission, then, they were bound to provide that any arrangement that was made should contain effectual provision for the security of our rights and interests. And how have they discharged this part of their duty?

If to transfer to Canada our whole revenue for all time to come, for a paltry pittance, the mess of pottage for which these hungry EsAUs have attempted to sell our birthright,—if to confer on Canada the power of taxing us at pleasure without even the shadow of representation in the Senate, and with 19 out of 181 members in the House of Commons,—if to give Canada the right of disposing of our invaluable Fisheries,—if to give Canada power to sell and pocket the price of our Railroads,—if to allow Canada to place the yoke on our necks, and to trample out every vestige of our liberty and independence, be to "*ensure just provision for the rights and interests of the Province,*" then the delegates have faithfully executed this part of their commission.

But I assert, without fear of contradiction, that they have, in no solitary instance, discharged the trust committed to them; and have they the weakness to imagine that we will, in any manner, be bound by what they have done? If I appoint an agent, I can only be responsible for his lawful acts, and may disavow all those that are not within the scope of his authority.

What authority did Nova Scotia give these delegates, to agree to a federal union between Canada, New Brunswick, and Nova Scotia? What authority did she confer on them to agree that Ca-

nadian Executive Councillors should appoint Senators to represent her? What authority did she give them to agree that Canada should have an arbitrary power to tax her people? What authority did she confer on them to place our invaluable fisheries at the disposal of Canada? What power had they to agree that Canada might take and dispose of our railroads and other public works? What authority did she confer on them to agree that our revenue, for all time to come, should be remitted to the treasury of Canada? What authority had they to agree that the militia of Nova Scotia, might be marched up to Canada, whenever the Governor General chose to require their services?

Right and interests indeed! What do they mean? We have a right to spend our own revenue, we have a right to tax ourselves, and to be exempt from taxation at the hands of any other Legislature than our own, we have a right to our fisheries, railroads and other property, we have a right to be a self-governed, free and independent people. These are some of our rights and interests. Where would they be if we consented to be bound by the *just provision* our worse than worthless delegates have pretended to make for their security? They would be gone forever!

Thus it is manifest that they were not authorized by any Statute, or any other act of our Legislature, to arrange a federal union of the three Provinces, and that they have not fulfilled any of the instructions, with which they were charged, on visiting England. The preamble therefore of the B. N. A. Act, reciting that Nova Scotia desired a federal union, is absolutely false.

When these men informed the Government and Legislature of Great Britain that Nova Scotia desired such a union, a fraud and imposition was practised on them. Now we know that fraud vitiates every transaction. A Statute is not exempt from the operation of this all pervading principle of Justice. The Statute, therefore, which could not have any effect without the consent and desire of Nova Scotia, as soon as it is made to appear that such consent is wanting, that the desire has never been expressed, and that a gross imposition has been practised on the Legislature to obtain its assent, must fall to the ground.

Now, let the people to look at the constitution that has been erected on the ruins of our institutions, which this Statute, like a political earthquake, has razed to their foundations.

A Governor General, nobody knows who, or what he may be, is clothed with almost all the attributes of the Queen. A Parliament is constructed for three independent and separate Colonies, on a principle which gives one of them a majority in one Branch over the other two combined, of 147, and in the other of 24. The SENATE, as it is called, is manufactured by this Governor General, according to his will and fancy. Nova Scotia is pretended to be represented, in this body, by twelve Senators, and how are they chosen to represent her? The Governor General, who does not know a man in the Province, sends an order to some political com-

mission merchant here, to pick him out twelve sycophants,* just as he would order so many horses to be purchased for his stables. These persons chosen no one can tell by whom or on what terms, are sent up to OTTAWA, and there, rigged out in the livery of the Governor General, paid by him the wages of their corruption, and sent by him, and as his hired servants, into the Senate House, to represent Nova Scotia. And these livery servants of the Governor General constitute all the representation that this Province has, for the protection of her rights and interests, in this Branch of the Legislature. The people of Nova Scotia have nothing whatever to say in the appointment of these men, to whom her dearest interests are confided, but they are the purchased commodities of a Governor General who knows no more about us than he does of the inhabitants of JUPITER or SATURN. We have, then, in the whole of this new Parliament, but nineteen persons out of 253, to represent our interests, and it is obvious that as far as they can be of any service to us in such a crowd, we might just as well send 19 turkey cocks, as so many of the most intelligent men, in the Province. The constitution provides that all the revenue of this Province, except a few dollars of pin-money she is allowed, shall pass into the Canadian treasury. Canada is to make certain advances for us, but what remains after these disbursements she pockets for her own use. The balance after these advances may amount to millions of dollars, but no account is rendered to Nova Scotia of its expenditure, nor is she permitted even to enquire what becomes of it. Canada may make this balance as great as she pleases, for she can tax us to any amount she thinks proper, and we have no imaginable way of preventing her from stripping the very coats off our backs. She may send the tax-gatherer to every man's door, and demand just what she pleases of direct taxation, and she may make our tariff to suit herself, and thus tax us also indirectly to her satisfaction. The constitution gives to Canada the disposal of our Fisheries, the most valuable of all our resources, and it authorizes her to take, and dispose of, our railroads and other public works. The constitution places us under the power of Canada, as completely as the HEBREWS were held in subjection by the EGYPTIANS, or the negroes of the Southern States by the slave-owners of that country. The constitution not only gives Canada a right to do as she pleases with our property; but she can take our lives also, for we may be ordered up to Canada to fight and shed our blood for our oppressors. And this is a true sketch of the constitution which the delegates have provided for this admirably balanced confederation, as they call it. It is neither a *Union* nor a *Confederation*, but a *sale* of the Province to Canada, and the only price paid for the purchase is an office of emolument to each of the delegates.

* I call them so advisedly: The first batch have received the ear-mark of the Delegates: Of course, like them, they will be men of easy political virtue; and like them will, in consideration of their offices and salaries, be satisfied with very small mercies for poor Nova Scotia.

When I look at this Constitution I can scarcely credit my senses, and ask, "Can this be the product of human intelligence?" Impossible—it bears the most incontestable internal evidence of being the work of animals, bearing no closer resemblance to the human species than baboons and monkeys. The Beaver, impelled by mere animal instinct, makes for the preservation of its family a fabric which, in intelligence of design and skillfulness of construction, is as far superior to this barbarous political structure as the glorious light of day is to the fitful glimmering of the firefly. It may be confidently asserted that no nation of savages that ever existed on this Continent possessed a more imperfect and absurd political system than that which has been embodied in the B. N. A. Act for the government of these noble Colonies. And this is the Constitution for the maintenance of the peace, the advancement of the prosperity, and the security of the social and political rights of Nova Scotia, that these men have secured for their country "*an enduring proof of their ability, and pledge of their patriotism,*" nay, but a STUPENDOUS MONUMENT OF ASININE STUPIDITY AND UNBLUSHING PERFDY!!

Now let me ask the people to consider the manner in which Confederation has been attempted to be forced upon them. The scheme, as I have shown, was devised by the Canadians, who not being able to agree among themselves, found in the spoliation of the Maritime Colonies a platform on which they could unite. Thus we often find men who hate each other, like our political leaders, shaking hands over deeds of iniquity. Thieves seldom rob each other. They generally dislike and would cheerfully injure each other if they did not find it more profitable to lay their heads together and rob other people. Thus to ascend from infinitesimally paltry rogues to really great ones, NAPOLEON and ALEXANDER, after slaughtering a few hundred thousands of each other's subjects, met at TILSIT, embraced each other as if they had always been the dearest friends, and went deliberately to work to rob the weaker nations and divide the earth between them.

So the good Samaritans of Canada, having agreed on doctoring Nova Scotia, paid a visit to our politicians, to feel their pulses, examine their tongues, and make what Dr. Tupper would call a diagnosis of their moral health. They returned to Canada, well satisfied with the result of their professional visit. The scheme which they had prepared they well knew could not be imposed on Nova Scotia otherwise than by fraud and corruption. They would therefore naturally secure the leaders of the Government in the first place, if they found them of the right stuff for their purpose. Having made sure of these, all they would have to fear would be the Opposition, which might prove too strong for the Government, and defeat their plans. They would therefore next proceed to manage the leaders of the Opposition, and then the coast would be clear. To gain the leaders of both parties, all they would require would be to give them their respective prices. The scheme, it will

be observed, gives the Canadian speculators a very respectable stock in trade, to make their purchases withal.

The 36 United States, with over thirty millions of people, have 72 Senators. The scheme has the same number for four Provinces, and less than four millions of people. Why are these poor Colonies to maintain as many Senators as the United States? Because the offices were required by the Canadian traders to purchase Nova Scotian and New Brunswick politicians.

If the Senators are paid even not much higher than those of the Republic, they will cost probably \$4,000 each, or upwards of two hundred and eighty thousand dollars a year in all. Five Senators appointed by the Legislature of each Colony would have been as useful as fifty; but then there would not have been as many offices at the disposal of the traders as were necessary to perfect their purchases.

Thus, then, they had to tempt our leaders of both parties, whose trade and occupation in life had been office-hunting, with 72 Senatorships, 4 Lieut.-Governorships, and probably a good many other *ships* of the same kind.

Now it will be remembered of our leaders of the two parties, that as long as there were only a few offices to contend for in Nova Scotia, they fought each other for them like famished wolves. JOSEPHUS relates that the enemies of DANIEL, who had procured the irrevocable decree of the Medes and Persians, as soon as they found that the lions had not injured him, invented a story that DARIUS, to save his favorite minister, had caused the animals to be crammed to satiety before he was cast into the den, and that the reason why they gave him so civil and friendly a reception, on his involuntary visit, was, that they had not room in their stomachs for the accommodation of the prophet.

The Canadians having this story before them, probably took the hint, and by throwing to each of our voracious place-hunters a good fat office, appeased their appetites, subdued their rage, and produced that millennial harmony, which has filled the public with amazement. At all events it is evident that the thaumaturgists of Canada got these men, who, up to that time, had hated each other with malignant and uncompromising bitterness, so completely reconciled, that they returned from QUEBEC with their arms round each others necks, and what is quite as remarkable a phenomenon, they who were never known to agree about anything before, in all their lives, came back in love with confederation, and with each other.

Don't let me ever hear any more of the impossibility of miracles! Let these men be exhibited in the European centres of learning, with an accurate history of their political career, and their past and present relation to each other, and GERMAN neology would be scattered to the winds!

That their hands are not clean, is not even attempted to be denied. Some of them have notoriously received their offices al-

ready, and their own friends are speculating on the splendid prizes in store for the rest of them.

No man can be so blind as not to see that a most dangerous plot has been contrived in Canada and that both parties, in this Province have been betrayed by their respective leaders, who have endeavoured to carry it into execution, in spite of the people, who were not in any manner to be allowed to interfere with it, and it must be admitted that the conspirators have manifested no lack of resolution to brave all the consequences of their daring enterprise.

But here we perceive the hand of Providence plainly at work on these deluded men, whose eagerness for office has so completely blinded their understanding, that just at the moment they are congratulating themselves on having obtained a glorious victory, the tide of the battle takes a sudden turn, and in consequence of the want of common prudence and ordinary generalship, they are completely routed and ignominiously defeated.

If they had possessed common sense they must have foreseen that in the end the people must and would triumph, and therefore their attempt to exclude the consideration of confederation from them was as ill-judged as it was insolent and dishonest. If, again, they had possessed but a trifling knowledge of constitutional law, they must have perceived that a Statute of the Provincial Legislature was indispensable to give effect to the provisions of the English Act. Had such a course been pursued, we should have been placed in this unpleasant predicament, that we should have been compelled to oppose a confederation forced upon us by the forms of the constitution. This would have been exceedingly disagreeable to a loyal people, and if the Queen had lost their affections she would have owed it to the conspirators against the people's rights, and not to the people themselves.

But, thanks to a merciful Providence, we have escaped this dreadful calamity, and by the goodness of God, in having darkened the understandings of our enemies, we can reject confederation—the greatest evil that could befall us—without violating even any of the forms of the constitution. We have it in our power to prevent the only measure that could place us under the curse of such a system—a statute of the Provincial Legislature—without which, the Canadians can no more introduce confederation than LAKE SUPERIOR, into Nova Scotia.

The conspirators have now played out their game. They fancied that they had checkmated the people, but they forgot to make the only move on the board that could secure the victory. The wretched majority with which they worked their dangerous intrigue has ceased to exist. They have allowed their troops to be disbanded, and they are surrounded by the army of an injured and insulted people, and must surrender at discretion. As long as that infamous majority existed, the people were powerless, and Nova Scotia was as it were in a state of seige. The seige is raised, and the army that encompassed us is dead and buried. For the last month I

have watched the motions of the enemy with intense anxiety, lest some one might suggest to them the weak point in their position. When the House of Assembly came to a natural death, without their having obtained an Act to confirm the B. N. A. Act, I felt all the exultation that must have swelled the bosoms of the beleaguered Jews when they awoke in the morning and discovered that the angel of Death had swept off the plague-smitten host of Sennacherib.

Now, people of Nova Scotia, let me give you a little friendly advice! Let the danger you have escaped be a warning to you for the future! Lay aside, once and forever, the nonsensical symbols of party strife! Let the hateful watchwords of party—"Conservative" and "Liberal"—be forever abolished! Take the advice that Lazarus has given you to UNITE; but do so for a different purpose, and in a different sense, from what he intended. UNITE, not for, but against Confederation. Unite to defeat the foulest attempt that was ever made to sacrifice the best and dearest interests of your country! UNITE to preserve your independence! UNITE to retain and preserve, as the apple of your eye, the control over your revenue! UNITE to escape the greatest evil and misery with which a country can be socially and politically affected, the extortion of your property by arbitrary taxation, at the will of a Legislature in which you are not represented, that is in no manner responsible to you, and over which you would have no more control than over the motions of the Heavenly bodies! UNITE for the preservation of your invaluable Fisheries, and to preserve your railroads and other property from sacrifice and spoliation!

Your enemies will raise the cry of "*Intercolonial Railroad in danger.*" Let them cry till they are hoarse! You have Railroads enough! The Intercolonial Road is no necessity of yours. To Canada only would it be indispensable, and the schemers have made it a part of their plan of Confederation to enable them to have access to your markets. Under Confederation Nova Scotia and New Brunswick would be a nice little garden for the Canadas, and the Railroad would enable them to come down and gather the fruit and pluck the roses. They never wanted the Railroad before, and in 1851, when the same guarantee of the Imperial Parliament, even on better terms, was offered, the enterprise was defeated by the intrigues of Canadian Executive Councillors. They backed out of it again, I think, in 1862, and would not now lay hold of it if they had not fancied that they had secured all the revenues of New Brunswick and Nova Scotia, and did not require it to get their manufactures and other property into your markets and their fingers into your pockets. One thing is certain; it will never pay its working expenses, and will be an eternal bill of expense when made. So you need not break your hearts about the Railroad, and from the taste we have recently had of the kind and benevolent intentions of Canadians towards us, the more insurmountable the obstacles to our closer intercourse with them the better.

At the ensuing election Confederates will offer for OTTAWA.

You will have to set up men to oppose them and keep them out, but any sort of men will do for that purpose, as their election will amount to nothing more than that it will afford them an opportunity of visiting Canada and seeing the Falls. Return the ablest men to our own House of Assembly charged with the glorious mission of sending Confederation to its cloven footed inventor, the great enemy of mankind, who has contrived it as the most effectual destroyer of the peace and prosperity of this Province.

My object in composing this treatise has been to enable the people to form a just estimate of the constitution that has been presented to them, for what is called a confederation of the colonies. When I hear it asserted that an Act of Parliament having been passed we must submit to it, as to an irrevocable decree of the Supreme power, such language is peculiarly offensive, and savors much more of Eastern slavery than of British freedom.

The people of this Province have certain established rights, which neither the Queen nor Parliament can abrogate or trespass on; and if an Act of Parliament interferes with those rights, the Act is void and can have no more effect on them, than the wind that passes over the desert of SAHARA.

As British subjects, we will cling to our rights, and not suffer them to be wrested from us. When Charles the First imposed unlawful taxation on the people of England, they did not submit to the invasion of their rights. Had he asked John Hampden for a gift of five thousand pounds, he would cheerfully have put his hand in his pocket, and paid the money; but when thirty-one shillings were demanded from him illegally, he did not put his hand to his purse, but on the hilt of his sword, and surrendered his noble life rather than his freedom. When Parliament laid a tax on the old Colonies, they did not fold their arms, and tamely submit to injustice because it was dressed in the garb of an Imperial Statute. They indignantly denied that Parliament had power to pass such a law, and flew to arms to vindicate what British subjects should prize above every other political privilege, the right of self-taxation.

So the people of Nova Scotia when they are told by a few insignificant and most contemptible place-hunters that they have procured an Act of Parliament to confer on Canada the power to tax them, and that they must needs submit, whether they will or not, will laugh the over-bearing insolence of these men to scorn. I have demonstrated the unconstitutionality of the B. N. A. Act, and it rests with the people to decide, at the next election, whether they will accept confederation or not. I have endeavoured to discharge a duty that every patriot owes to his country—that of exposing her enemies and defending her from injustice—and if I have succeeded in assisting my fellow-countrymen in arriving at a sound judgment in reference to this momentous subject, my object will be fully attained, and I ask no other reward than the proud consciousness of having conferred some benefit on my native Province.

MARTIN I. WILKINS.

